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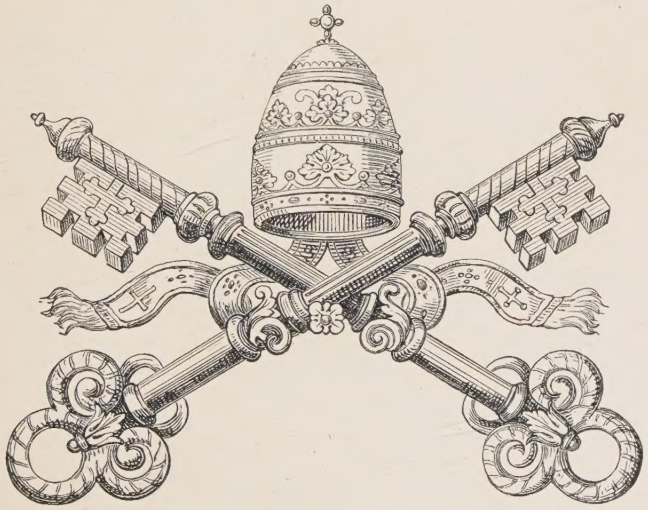
BY

REV. OSWALD J^o^seph REICHEL, B.C.L. & M.A.

VICAR OF SPARSHOLT; VICE-PRINCIPAL OF CUDDESDEN COLLEGE; AND SOMETIME SCHOLAR OF THE QUEEN'S COLLEGE, OXFORD.



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# In Memoriam

tritavi MICHAELIS REICHELII

VALENTINII et URSULAE filii:

*a°* 1619 *de Moldau; deinde post persecutionem Boëmicam a°* 1629 *de Beckwitz; denique a°* 1635 *de Belgern pastoris; Suedorum opera mens. Apr. a°* 1637 *sub ponte Misenensi miserrime interempti:*

NECNON

proavi CAROLI RUDOLPHI REICHELII

JACOBI DANIELIS et SOPHIAE ELISABETHAE filii:

° 1747 *de Hermsdorf; deinde a°* 1752 *de Taubenheim; postremo a°* 1754 *de Neukirch pastoris; ibique die* 25 *mens. Oct. a°* 1794 *placide defuncti:*

QUORUM ALTER EXILII PRO CHRISTI CAUSA CALAMITATE,
ALTER LITERARUM HEBRAICARUM SCIENTIA,
UTERQUE PIETATIS AFFECTU ET VITAE BENE ACTAE NOBILI EXEMPLO,
HUMILE SCRIPTORIS INGENIUM
AD INDIGNAM ECCLESIASTICAE HISTORIAE RELATIONEM
ACUERUNT.

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# PREFACE.

THE following pages are offered to the public with great diffidence. The writer is not unaware of his seeming presumption in venturing upon ground already occupied by great names; nor does he, as might perhaps be expected, lay claim to the merit of originality. Yet he hopes that his attempt may be tolerated for the very reason which makes it seem presumptuous, viz. because it aims at being a simple outline of facts grouped round a few leading principles. If these facts are to be found in other works, clothed in a garb more ample and picturesque, it is at least believed that they have not been previously presented in so brief a form.

A wish has been expressed ere now for such an outline of the history of the See of Rome.

It is felt by all thoughtful people that that treatment of Church History which contents itself with the first three centuries and the period of the Reformation, is not only an imperfect but a faulty one; inasmuch as it ignores the continuity of the subject, and regards the movement in the sixteenth century apart from the feelings long working in secret, of which it was the final expression.

Recent events, too, have added a fresh interest to the subject. Moreover, in popular treatises, this portion of history has suffered, more perhaps than any other, in having been misrepresented alike by friends and foes. Some have portrayed the Papacy as though it were simply a reproduction of Christianity as it existed in its early dawn; whilst others have chosen to regard it as an unprincipled usurpation. Whether either of these views is the true one, or whether the Papacy ought not rather to be regarded as a result of natural growth, produced by natural causes, is a question which can only be decided by a calm and impartial appeal to facts. The writer can honestly assert, that he has written aiming at calmness and free-

dom from bias. It remains for others to say whether he has succeeded in attaining his object.

Whilst, however, aspiring to be impartial, he must distinctly disclaim the charge of being indifferent. For according to the view which is taken of the organisation of the Mediæval Church will follow a justification or a renunciation of the position held by those churches, which originally belonged to, but have subsequently separated themselves from, the Western patriarchate. To him it appears that sympathy with past institutions is compatible with the belief that they are now an anachronism; and that it is possible to own their necessity and salutary influence in the age which gave them birth, nay more, to regret their decline, but at the same time to admit that they belong to a past epoch, and can no longer be revived with advantage. Perhaps it may be an inevitable result of a sympathetic study of history that it leaves us sadder if it leaves us wiser men.

It would not have been difficult to advance pretensions to learning by giving references,

quoted at second-hand, to works which few are likely to consult. The writer has, in this case, preferred to follow another course; and has made a point of giving (as far as possible) references to well-known books, so that they may be easily verified. The works which are most constantly appealed to as authorities are the following:

The collection of Councils by LABBÉ and COSSART, with supplements by MANSI, published at Venice 1728–48, in 29 vols. fol.

NEANDER'S *History of the Church*, references to the English translation by Torrey, published by Messrs. T. and T. Clarke of Edinburgh, in 9 vols. 8vo.

GIESELER'S *Ecclesiastical History*, references to Davidson's English translation, likewise published by Messrs. Clarke, in 5 vols. 8vo.

MILMAN'S *History of Latin Christianity*. The small edition in 9 vols.

HALLAM'S *Middle Ages*. The small edition.

In conclusion, the writer ventures to express the hope that this volume may be found of service to students, not as superseding other larger works, but as supplying an introduction to the history of the Mediæval Church. In letting it appear, he would not omit to own his acknowledgments to those graduates of Oxford and Cambridge who, having heard the greater part of it when delivered at

Cuddesden in the form of lectures, have encouraged him with their approval; and in particular to R. D. Radcliffe, Esq., of Christ Church, Oxford, to whose kindness the Appendices are due.

CUDDESDEN COLLEGE, NEAR OXFORD:
*May* 3, 1870.

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| | | | B.C. |
| | | Augustus | 27 |
| | | | A.D. |
| | | Tiberius | 14 |
| | | Caligula | 37 |
| | | Claudius | 41 |
| A.D. | | | |
| 42 | Peter and *Paul* | | |
| | | Nero | 54 |
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| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
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| | | Decius | | 249 |
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| 251 | Cornelius | Gallus | | 251 |
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| 258 | Dionysius | | | |
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| | *Eulalius* | | | |
| 418 | Bonifacius I. | | | |
| 423 | Coelestine I. | | | |
| | | Valentinian III. | | 424 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| 432 | Sixtus III. | | | |
| 440 | Leo I. (the Great) | | | |
| | | | *Marcian* | 450 |
| | | Maximus, Avitus | | 455 |
| | | Majorian | | 455 |
| | | | *Leo I.* | 457 |
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| 532 | John II. | | | |
| 535 | Agapetus I. | | | |
| 536 | Silverius | | | |
| 540 | Vigilius | | | |
| 555 | Pelagius I. | | | |
| 559 | John III. | | | |
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| | | | *Tiberius II.* | 578 |
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| 604 | Sabinianus | | | |
| 606 | Boniface III. | | | |
| 607 | Boniface IV. | | | |
| | | | *Heraclius* | 610 |
| 614 | Deus dedit | | | |
| 617 | Boniface V. | | | |
| 626 | Honorius I. | | | |
| 640 | Severinus | | | |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| 640 | John IV. | | | |
| | | | *Constantine III.* | |
| | | | *Heracleonas,* | |
| | | | *Constans II.* | 641 |
| 642 | Theodorus I. | | | |
| 649 | Martin I. | | | |
| 655 | Eugenius I. | | | |
| 657 | Vitalian | | | |
| | | | *Constantine IV.* | |
| | | | (*Pogonatus*) | 668 |
| 672 | Adeodatus | | | |
| 676 | Donus | | | |
| 678 | Agatho | | | |
| 682 | Leo II. | | | |
| 684 | Benedict II. | | | |
| 685 | John V. | | *Justinian II.* | 685 |
| 686 | Conon | | | |
| 687 | Sergius I. | | | |
| | *Paschal* | | | |
| | *Theodore* | | | |
| | | | *Leontius* | 694 |
| | | | *Tiberius* | 697 |
| 701 | John VI. | | | |
| 705 | John VII. | | *Justinian II.* | |
| | | | (restored) | 705 |
| 708 | Zinzinnus | | | |
| 708 | Constantine I. | | | |
| | | | *Philippicus Bar-* | |
| | | | *danes* | 711 |
| | | | *Anastasius II.* | 713 |
| 715 | Gregory II. | | | |
| | | | *Theodosius III.* | 716 |
| | | | *Leo III.* (*the* | |
| | | | *Isaurian*) | 718 |
| 731 | Gregory III. | | | |
| | | | *Constantine V.* | |
| | | | *Copronymus* | 741 |
| 742 | Zacharias | | | |
| 752 | Stephen II. | | | |
| 757 | *Stephen III.?* | | | |
| 757 | Paul I. | | | |
| 767 | *Constantine II.* | | | |
| 767 | *Theophylact* | | | |
| 768 | *Philip* | | | |
| 768 | Stephen III. | | | |
| | (*alias* IV.) | | | |
| 772 | Adrian I. | | | |
| | | | *Leo IV.* | 775 |
| | | | *Constantine VI.* | 780 |
| 795 | Leo III. | | | |
| | | | Deposition of | |
| | | | Constantine | |
| | | | VI. by *Irene* | 797 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| | | WESTERN EMPIRE REVIVED | | |
| | | Charles I. | | 800 |
| | | | *Nicephorus* | 802 |
| | | | *Staurasius* | 811 |
| | | | *Michael I.* (*Rhangabes*) | 811 |
| | | | *Leo V.* (*the Armenian*) | 813 |
| | | Lewis I. (the Pious) | | 814 |
| 816 | Stephen IV. (*alias* V.) | | | |
| 817 | Paschal I. | | | |
| | | | *Michael II.* (*the Stammerer*) | 820 |
| 824 | Eugenius II. | | | |
| 824 | *Anastasius* | | | |
| 824 | *Zinzinnus* | | | |
| 827 | Valentine | | | |
| 828 | Gregory IV. | | | |
| | | | *Theophilus* | 829 |
| | | Lothar I. | | 840 |
| | | | *Michael III.* (*the Drunkard*) | 842 |
| 844 | Sergius II. | | | |
| 847 | Leo IV. | | | |
| 855 | Benedict III. | Lewis II. | | 855 |
| 858 | Nicolas I. | | | |
| 867 | Adrian IV. | | *Basil I.* (*the Macedonian*) | 867 |
| 872 | John VIII. | | | |
| | | Charles II. (the Bald) | | 875 |
| 882 | Martin II. | | | |
| 884 | Adrian III. | Charles III. (the Fat) | | 884 |
| 885 | Stephen V. (*alias* VI.) | | | |
| | | | *Leo VI.* (*the Philosopher*) | 886 |
| | | Arnulf | | 888 |
| | | *Guido* | | |
| | | *Berengar* | | |
| 891 | Formosus | | | |
| 891 | *Sergius* | | | |
| 896 | *Boniface VI.* | | | |
| 896 | Stephen VI. (*alias* VII.) | | | |
| 897 | Romanus | | | |
| 898 | Theodore II. | | | |
| 898 | John IX. | | | |
| | | *Lewis the Child* | | 899 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| 900 | Benedict IV. | Lewis III. (of Provence) | | 900 |
| 903 | Leo V. | | | |
| 903 | Christopher | | | |
| 904 | Sergius III. | | | |
| 911 | Anastasius III. | | *Alexander* | 911 |
| | | Conrad I. | *Constantine VII. (Porphyrogenitus)* | 912 |
| 913 | Lando | | | |
| 914 | John X. | | | |
| | | Henry I. (the Fowler) | *Romanus I.* | 919 |
| 928 | Leo VI. | | | |
| 929 | Stephen VII. (*alias* VIII.) | | | |
| 931 | John XI. | | | |
| 936 | Leo VII. | Otto I. | | 936 |
| 939 | Stephen VIII. (*alias* IX.) | | | |
| 943 | Martin III. | | | |
| | | | *Constantine VIII.* | 944 |
| 946 | Agapetus II. | | | |
| 955 | John XII. | | | |
| | | | *Romanus II.* | 959 |
| 963 | *Leo VIII.* | | *Nicephorus Phocas* | 963 |
| 964 | *Benedict V.* | | | |
| 965 | John XIII. | | | |
| | | | *John I. (Zimisces)* | 969 |
| 972 | Donus II. | | | |
| 972 | Benedict VI. | | | |
| | | Otto II. | | 973 |
| 974 | *Boniface VII.* | | | |
| 974 | Benedict VII. | | | |
| | | | *Basil II. and Constantine IX.* | 975 |
| 983 | John XIV. | Otto III. | | 983 |
| 984 | Boniface VII. | | | |
| 985 | John XV. | | | |
| 996 | Gregory V. | | | |
| 997 | *John XVI.* | | | |
| 999 | Sylvester II. | | | |
| April 2 | | Henry II. (the Saint) | | 1002 |
| 1003 | John XVII. | | | |
| June 9 | | | | |
| 1003 | John XVIII. | | | |
| Dec. 26 | | | | |
| 1009 | Sergius IV. | | | |
| 1012 | Benedict VIII. | | | |
| 1012 | *Gregory* | | | |
| 1024 | John XIX. (XVIII. in LAB.) | Conrad II. (the Salic) | | 1024 |
| August | | | *Romanus III.* | 1028 |
| 1033 | Benedict IX. | | | |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| | | | *Michael IV.* | 1034 |
| | | Henry III. | | 1039 |
| | | | *Michael V.* | 1041 |
| | | | *Constantine X.* (*Monomachus*) | 1042 |
| 1044 May | Gregory VI. | | | |
| 1044 | *Sylvester III.* | | | |
| 1046 Dec. 25 | Clement II. | | | |
| 1048 July 17 | Damasus II. | | | |
| 1049 | Leo IX. | | | |
| 1054 April 19 | *Vacancy* | | *Theodora* (again) | 1054 |
| 1055 March | Victor II. | | | |
| | | Henry IV. | *Michael VI.* | 1056 |
| 1057 August 2 | Stephen IX. (*alias* X.) | | *Isaac Comnenus* | 1057 |
| 1058 March 30 | *Benedict X.* | | | |
| 1058 Dec. 28 | Nicolas II. | | | |
| | | | *Constantine XI.* (*Ducas*) | 1059 |
| 1061 Sept. 30 | Alexander II. *Honorius* | | *Romanus IV.* (*Diogenes*) | 1068 |
| | | | *Michael VII.* | 1071 |
| | | | *Ducas* | 1072 |
| 1073 April 22 | Gregory VII. | | | |
| | | | *Nicephorus III.* (*Botoniates*) | 1078 |
| 1080 | *Clement III.* | | *Alexius Comnenus* | 1081 |
| 1085 | *Vacancy* | | | |
| 1086 May 24 | Victor III. | | | |
| 1088 March 12 | Urban II. | | | |
| 1099 August 13 | Pascal II. | | | |
| | | Henry V. | | 1106 |
| 1118 | *Gregory VIII.* | | | |
| 1118 Jan. 25 | Gelasius II. | | *John II.* | 1118 |
| 1119 Feb. 1 | Callixtus II. | | | |
| 1121 | *Coelestine* | | | |
| 1124 Dec. 21 | Honorius II. | | | |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| | | Lothar II. (the Saxon) | | 1125 |
| 1130 Feb. 15 | Innocent II. | | | |
| 1130 Feb. 15 | *Anacletus II.* | | | |
| 1138 | *Victor IV.* | Conrad III. | | 1138 |
| 1143 Sept. 26 | Coelestine II. | | *Manuel I.* | 1143 |
| 1144 March 12 | Lucius II. | | | |
| 1145 Feb. 27 | Eugenius III. | | | |
| | | Frederic I. (Barbarossa) | | 1152 |
| 1153 July 9 | Anastasius IV. | | | |
| 1154 Dec. 3 | Adrian IV. | | | |
| 1159 Sept. 7 | Alexander III. | | | |
| 1159 | *Victor IV.* | | | |
| 1164 April 22 | *Paschal III.* | | | |
| 1168 | *Callixtus III.* | | | |
| 1178 | *Innocent III.* | | | |
| | | | *Alexius II.* | 1180 |
| 1181 Sept. 1 | Lucius III. | | | |
| | | | *Andronicus I.* | 1183 |
| 1185 Nov. 25 | Urban III. | | *Isaac Angelus* | 1185 |
| 1187 Oct. 20 | Gregory VIII. | | | |
| 1188 | Clement III. | | | |
| | | Henry VI. | | 1190 |
| 1191 March 30 | Coelestine III. | | | |
| | | | *Alexius III.* | 1195 |
| 1198 January | Innocent III. | Philip and *Otto IV.* | | 1198 |
| | | | *Isaac Mourzoufle* | 1202 |
| | | | Baldwin I. | 1204 |
| | | | Henry | 1205 |
| | | | *Theodore Lascaris* | 1206 |
| | | Otto IV. | | 1208 |
| | | Frederic II. | | 1212 |
| 1216 July 18 | Honorius III. | | | |
| | | | Peter de Courtenay | 1217 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| | | | Robert | 1220 |
| | | | *John Ducas* | 1222 |
| 1227 March 19 | Gregory IX. | | | |
| | | | Baldwin II. | 1228 |
| 1241 October | Coelestine IV. | | | |
| 1242 | *Vacancy* | | | |
| 1243 June | Innocent IV. | | | |
| | | Conrad IV. | | 1250 |
| 1254 Dec. 12 | Alexander IV. | *Interregnum* | | 1254 |
| | | | *Theodorus II.* | 1255 |
| | | *Richard of Cornwall and Alfonso of Castile* | | 1257 |
| | | | *John IV.* | 1258 |
| | | | *Michael Paleologus* | 1259 |
| 1261 Aug. 29 | Urban IV. | | | |
| 1265 Feb. 5 | Clement IV. | | | |
| 1269 | *Vacancy* | | | |
| 1271 Sept. 1 | Gregory X. | | | |
| | | Rudolph of Hapsburg | | 1272 |
| 1276 Feb. 21 | Innocent V. | | | |
| 1276 July 11 | Adrian V. | | | |
| 1276 Sept. 13 | John XX. or XXI. (XIX. in LAB.) | | | |
| 1277 Nov. 25 | Nicolas III. | | | |
| 1281 Feb. 22 | Martin IV. | | | |
| | | | *Andronicus II.* (*Paleologus*) | 1283 |
| 1285 April 2 | Honorius IV. | | | |
| 1288 Feb. 15 | Nicolas IV. | | | |
| | | Adolf of Nassau | | 1292 |
| 1293 | *Vacancy* | | | |
| 1294 July 5 | Coelestine V. | | | |
| 1294 Dec. 24 | Boniface VIII. | | | |
| | | Albert I. | | 1298 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. | | | | A.D. |
| 1303 Oct. 22 | Benedict X. or XI. | | | |
| 1305 June 15 | Clement V. | | | |
| | | Henry VII. | | 1308 |
| 1314 | *Vacancy* | Lewis IV. and *Frederic of Austria* | | 1314 |
| 1316 Aug. 7 | John XXI. or XXII. (XX. in Lab.) | | | |
| | | | *Andronicus III. (Paleologus)* | 1320 |
| 1334 Dec. 20 | Benedict XI. or XII. | | | |
| | | | *John V. (Paleologus)* | 1341 |
| 1342 May 7 | Clement VI. | | | |
| | | Charles IV. (*Günther of Schwartzburg*) | | 1347 |
| 1352 Dec. 18 | Innocent VI. | | | |
| 1362 Sept. | Urban V. | | | |
| 1370 Dec. 30 | Gregory XI. | | | |
| 1378 April 9 | Urban VI. | Wenceslaus | | 1378 |
| 1378 Sept. 21 | *Clement VII.* | | | |
| 1389 Nov. 2 | Boniface IX. | | | |
| | | | *Manuel II.* | 1391 |
| 1394 Sept. 28 | *Benedict XIII.* | | | |
| | | Rupert | | 1400 |
| 1404 Oct. 17 | Innocent VII. | | | |
| 1406 Nov. 30 | *Gregory XII.* | | | |
| 1409 June | Alexander V. | | | |
| 1410 May 17 | John XXII. or XXIII. (XXI. in Lab.) | Sigismund (*Jobst of Moravia*) | | 1410 |
| 1416 | *Vacancy* | | | |
| 1417 Nov. 11 | Martin V. | | | |
| 1424 | *Clement VIII.* | | *John VI.* | 1424 |
| 1431 March | Eugenius IV. | | | |
| | | Albert II. | | 1438 |

| Year of Accession | Bishops of Rome | Emperors | | Year of Accession |
|---|---|---|---|---|
| | | In the West | In the East | |
| A.D. 1439 Nov. 17 | *Felix V.* | — | | A.D |
| 1447 March 6 | Nicolas V. | Frederic III. | | 1440 |
| | | | *Constantine XIII.* | 1448 |
| | | | FALL OF THE EASTERN EMPIRE | 1453 |
| 1455 April 8 | Callixtus III. | | | |
| 1458 August | Pius II. | | | |
| 1464 Aug. 31 | Paul II. | | | |
| 1471 Aug. 9 | Sixtus IV. | | | |
| 1484 Aug. 29 | Innocent VIII. | | | |
| 1492 Aug. 11 | Alexander VI. | | | |
| | | Maximilian I. | | 1493 |
| 1503 Sept. 22 | Pius III. | | | |
| 1503 Nov. 1 | Julius II. | | | |
| 1513 March 11 | Leo X. | | | |
| | | Charles V. | | 1519 |
| 1522 Jan. 2 | Adrian VI. | | | |
| 1523 Nov. 19 | Clement VII. | | | |
| 1534 Oct. 13 | Paul III. | | | |
| 1550 Feb. 8 | Julius III. | | | |
| 1555 April 9 | Marcellus II. | | | |
| 1555 May 23 | Paul IV. | | | |
| | | Ferdinand I. | | 1558 |
| 1559 December | Pius IV. | | | |
| | | Maximilian II. | | 1564 |
| 1566 Jan. 7 | Pius V. | | | |
| 1572 May 13 | Gregory XIII. | | | |
| | | Rudolph II. | | 1576 |
| 1585 April 24 | Sixtus V. | | | |
| 1590 Sept. 15 | Urban VII. | | | |

| Year of Accession | Bishops of Rome | Emperors | Year of Accession |
|---|---|---|---|
| A.D. | | | A.D. |
| 1590 Dec. 5 | Gregory XIV. | | |
| 1591 Oct. 29 | Innocent IX. | | |
| 1592 Jan. 30 | Clement VIII. | | |
| 1605 April 1 | Leo XI. | | |
| 1605 May 16 | Paul V. | | |
| | | Mathias | 1612 |
| | | Ferdinand II. | 1619 |
| 1621 Feb. 2 | Gregory XV. | | |
| 1623 Aug. 6 | Urban VIII. | | |
| | | Ferdinand III. | 1637 |
| 1644 Sept. 15 | Innocent X. | | |
| 1655 April 7 | Alexander VII. | | |
| | | Leopold I. | 1658 |
| 1667 June 20 | Clement IX. | | |
| 1670 April 29 | Clement X. | | |
| 1676 Sept. 21 | Innocent XI. | | |
| 1689 Oct. 6 | Alexander VIII. | | |
| 1691 July 12 | Innocent XII. | | |
| 1700 Nov. 23 | Clement XI. | | |
| | | Joseph I. | 1705 |
| | | Charles VI. | 1711 |
| 1721 May 8 | Innocent XIII. | | |
| 1724 May 29 | Benedict XIII. | | |
| 1730 July 12 | Clement XII. | | |
| 1740 Aug. 17 | Benedict XIV. | | |
| | | Charles VII. | 1742 |
| | | Francis I. | 1745 |
| 1758 July 6 | Clement XIII. | | |
| | | Joseph II. | 1765 |
| 1769 May 19 | Clement XIV. | | |
| 1775 Feb. 15 | Pius VI. | | |
| | | Leopold II. | 1790 |
| | | Francis II. | 1792 |

| Year of Accession | Bishops of Rome | Emperors | Year of Accession |
|---|---|---|---|
| A.D. 1800 March 13 | Pius VII. | | A.D. |
| | | ABDICATION OF FRANCIS | 1806 |
| | | END OF THE HOLY ROMAN EMPIRE | |
| 1823 Sept. 28 | Leo XII. | | |
| 1829 March 31 | Pius VIII. | | |
| 1831 Feb. 2 | Gregory XVI. | | |
| 1846 June 16 | Pius IX. | | |

# CHAPTER I.

## *INTRODUCTORY.*

*Comedetis vetustissima veterum, et vetera novis supervenientibus projicietis.*—LEV. XXVI. 10.

CHAP. I.

WHATEVER variety of opinion may prevail as to the precise period at which the history of what are called the Middle Ages begins, it is at least clear, that under the episcopate of Gregory the Great the power of the See of Rome in the West commences. At the beginning of the sixteenth century, and the appearance of the Reformation it is seen to decline. Its history becomes henceforth an altered one. One period in its career is complete. Its mediæval career may therefore be justly considered to commence with the pontificate of Gregory the Great, and to end with that of Leo X.; to begin with the seventh century, and to close with the sixteenth; thus embracing a period of rather more than nine centuries.

A.D. 590

A. *Change of field of ecclesiastical history.*

During these centuries a new and hitherto unexplored field was opened out for the Church. Christianity changed its ground, and with that change the character and constitutions of the Church changed as well. Hitherto the Church had flourished among the men of the old world. The shores of the Medi-

CHAP. I.

terranean—those same shores on which the rôle of political history had been played—had been the first field of ecclesiastical history. The old centres—Rome, Alexandria, Antioch, Jerusalem, Constantinople—had been centres of the Church's life. Christianity had worn the colouring of the old world and the old modes of thought: now with the decline of the older civilisations its older life declined too.

But this decline was not unattended with corresponding gains. For, no longer confined to the old seats of mankind, but following the onward march of civilisation, the Church crossed the Alps and diffused herself in central Europe. Among the Germanic nations henceforth she took up her home. Her losses in the East were compensated by gains in the West. Disputes which had agitated Greeks and Romans were laid to rest; the rivalries of Rome and Constantinople, of Alexandria and Antioch, were forgotten. She entered on a new life, animated by new modes of thought, distracted by new disputes.

Yet not at once, nor without a long period of training, were the new nations able to assert their independence; in fact, this was not the case until the Reformation. The preparatory training was a work of time and gradual growth. And hence the Middle Ages—those ages in which it was taking place—are, as their name implies, intermediate ages—ages in which the old world met the new world; in which the traditions of the old world were still in the ascendant, those of the new world in infancy; in which the Teuton was first brought face to face

with the Roman—the Roman the inheritor of a great civilisation, whose day was past, the Teuton still rugged like his native woods. The old world was passing away, and being borne to its grave, the new world was growing up under the shadow of the past.

B. *Change of Character.*

It is not, therefore, so strange as it might appear that nations whose characteristic feature, as it is now seen, is love of freedom and intolerance of restraint alike in politics and religion, should have then lent themselves so readily to the Roman system. Indeed, it will be observed that no sooner had Christianity passed into Europe, than the bands of ecclesiastical organisation were drawn tighter than they had ever been before, and continued to be drawn tighter and tighter, until the strictest system of ecclesiastical absolutism was developed, at the head of which stood the sovereign pontiff. Yet so it was. The Germanic nations received Christianity and the Roman supremacy together, and hence constantly confounded the two. Years elapsed before they became conscious of the confusion; a still longer period before this consciousness found expression; and nine centuries had gone by before they dared to rise in rebellion against a primary usurpation, and rid themselves of an error which they had imbibed from their first teachers.

And yet, although undoubtedly an usurpation, and resting on a primary misapprehension, the papal rule, and the Holy Empire to which it gave rise, are the great objects of attraction in the Middle Ages, and, whilst they did last, were sincerely believed in. Whatever is greatest and noblest in those ages—

CHAP. I.

great saints, great heroes, great sovereigns—are all in the early part of the Middle Ages to be found upholding the Holy Empire, as in the latter part they were divided between the rival sovereigns of that Empire, the popes and the emperors. When that Empire passed away, as it was inevitably destined to pass away with increasing years, the glory which had been shed over the early years of European history had vanished. The Teutonic nations had attained to manhood, and lived in the light of clearer knowledge; but the poetry of childhood was gone. The man is no doubt wiser than the child; but is that a subject of unmixed congratulation? The child has not the intellect or the knowledge of the man; but has the man the freshness, the simplicity, and above all the happiness of childhood?

C. *Vicissitudes of temporal and ecclesiastical power.*

Moreover, this hierarchical centralisation, which is so conspicuous in the Middle Ages, was a new thing in the seventh century, and in fact a result growing out of the Church's altered relations. Such claims as were put forth by the Popes in the eleventh and thirteenth centuries, would have been impossible in the first four centuries of Christendom. They were the claims of a city no longer mistress of the world, to be mistress of the world; the claims of a spiritual person to occupy the place once held by a political sovereign; the claims of one who felt the strength of his position, who, having been left to himself, had learnt what it was to be free, and who, having learned what it was to be free, coveted to rule over others. They were the claims of a civilised ecclesiastic feel-

ing his moral ascendency over nations rude and uncultivated, and adroitly using his moral ascendency for political purposes. Moreover, these claims were first advanced in the cause of civilisation and Christianity. The error was that they were persevered in by those who had tasted the sweets of power, long after the rudeness and want which had first called them forth had passed away. Nay, are they not even now persevered in, although those upon whom they are made are far in advance of those who make them in intellectual enlightenment?

It is interesting to watch the progress of these claims, not forgetting that they form the basis on which the Holy Empire was built, and to see the oscillations of power from the temporal to the spiritual head, and back to the temporal head again. For, in the Holy Empire, religion and politics were ever combined. At one time the religious power is the strongest; at another, the two are equal; again the civil power has secured the upper hand, and seeks to dethrone the ecclesiastical altogether. When the connection between the two is finally severed, the Holy Empire is really at an end.

Three definite stages may therefore be distinguished in the history of the See of Rome in the Middle Ages—an age of growth, an age of greatness, and an age of decline.

(1) *First stage.* A.D. 590–1046

In the first of these stages, the age of growth, the Latin system may be watched rapidly spreading over Europe with hardly a single obstacle. Civilisation is confounded with Christianity, and Chris-

CHAP. I.

tianity with the Papacy. The spiritual power is continually rising in importance, and founds the Empire.

(2) *Second Stage.* A.D. 1046–1303

In the next of these stages—the age of greatness—the Pope has become a spiritual autocrat, ruling the Church absolutely, and through the Church ruling the Empire. That rule brings him into collision with the emperor. A struggle goes on ostensibly between popes and emperors, really between the old world and the new world, between the old despotic Latin spirit and the new freedom-loving Teutonic spirit. And such is the power of the Papacy, that the emperors succumb in the struggle. In the moment of the greatest triumphs of the Papacy, however, the handwriting is seen on the wall.

(3) *Third Stage.* A.D. 1303–1515

With the fourteenth century, marked nationalities begin to show themselves in language, literature, and distinct kingdoms. Europe has reached man's estate and will no longer be held in thraldom. Soon the system of the Papacy, as a living power, is seen to crumble away, declining far more rapidly than it had grown, and dragging down with it into ruin at once the popes and the emperors. During the papal residence at Avignon, the political supremacy of the popes was lost. By the great schism of the West, their ecclesiastical supremacy was undermined. And when vice had deprived them of what moral weight they still possessed, Western Christendom broke off its fetters, and the result was the Reformation.

It will be the business of the following pages to give a short outline of these vicissitudes.

# Part I.

# THE AGE OF GROWTH.

590—1046.

# CHAPTER II.

## THE WESTERN PATRIARCHS UNDER THE EASTERN EMPERORS.

(590—725.)

*Et nemo bibens vetus statim vult novum ; dicit enim : vetus melius est.*—LUC. v. 39.

CHAP. II.

A. *State of the See of Rome in seventh century.*

(1) *Causes of its importance.*

THE Western Patriarchate was already firmly established when Gregory I. was called from his retreat on the Cœlian hill[1] to occupy the most important position in Western Christendom. Rome, for more than twelve centuries the ruling centre for the nations dwelling around the Mediterranean, was no longer the mistress of the world. Her temporal sovereignty had departed from her. But amid the causes which subverted her empire, she had nevertheless not lost her prestige. She was still the centre of the West. Though shorn of power, she was still an object of admiration, of veneration, of respect. Around her gathered the memories of the

[1] The monastery of St. Andrew on the Cœlian hill was one out of seven founded by Gregory himself. See MONTALEMBERT'S *Monks of the West*, ii. p. 86. For the life of Gregory see LABBÉ and COSSART, *Concilia*, vi. 713 ; MILMAN'S *Latin Christianity*, book iii. ch. vii. ; a short account in BEDE'S *Hist. Eccl.* ii. 1. Gregory I. elected 590 A.D., died 604.

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past. She was the link between the old world and the new. She had seen the glories of the empire. She had witnessed the triumphs of faith. She had been hallowed by the blood of martyrs. Changing and yet changeless, she had bent before a thousand storms; she had risen resplendent with new glory. What she had lost in power, she had gained in moral ascendency. Prestige was hers, and the prestige of the city naturally communicated a prestige to her bishopric.

That bishopric had, in fact, been gradually rising in power and importance ever since the Council of Nicæa,[1] or even before that period. Its rise had been furthered by a variety of causes. Besides the rank which it derived from the city of old Rome[2] hallowed by the traditions of the martyrdom of St. Peter and St. Paul, its greatness was due partly to the removal of the court to Constantinople, which freed the bishops of Rome from the depressing tyranny to which the eastern patriarchs were exposed; partly to the conversion of the adjoining countries, which, whilst it added to the extent of its patriarchate, supplied it with some of its most dutiful children; but more than all, to the fact that, whilst political changes had been frequent, the bishopric of

[1] Can. 6 gives to the bishops of Alexandria authority over Egypt, Libya, and the Pentapolis, stating as the reason, *ἐπειδὴ καὶ τῷ ἐν τῇ Ῥώμῃ ἐπισκόπῳ τοῦτο σύνηθές ἐστιν.* The precedence of the bishops of old Rome was recognised by the Council of Constantinople A.D. 381, Can. 3.

[2] Can 28, *Concil. Chalcedon*: *τῷ θρόνῳ*(episcopal) *τῆς πρεσβυτέρας Ῥώμης, διὰ τὸ βασιλεύειν τὴν πόλιν ἐκείνην, οἱ πατέρες εἰκότως ἀποδεδώκασι τὰ πρεσβεῖα.*

Rome was the one abiding and enduring institution. The city had been pillaged by Goths and Vandals; the Western Empire had fallen, and been succeeded by the rule of a Herulian king; anon there had been an Ostrogothic kingdom in Italy, then the country had been once more reconquered for the Eastern Empire. Now the recovered territory was again threatened by Lombard invaders, and still the bishopric of Rome was there, having outlived every convulsion. As in the days when the faith first reached Italy, so now, when Gregory I. was elected to office, the bishopric of Rome was still the same—the same, only yet more powerful. First in rank it had always been; now it was also first in power, in extent, and in the respect which it commanded throughout the world. It was, in short, the first patriarchate of Christendom.

*(2) Dignities included in the office.*

The office to which Gregory I. was suddenly elevated in the year 590, included under it the three following distinct dignities. First, it included the actual *episcopal* charge of the city of Rome; the church of St. John Lateran with its haughty inscription: Omnium urbis et orbis ecclesiarum mater et caput; being the cathedral church, and the adjoining Lateran palace, which tradition says was given by Constantine to Sylvester I., being the place of residence.

*(a) Bishopric of the city.*

*(b) Archbishopric of the seven neighbouring cities.*

Secondly, it included the metropolitan or *archiepiscopal* superintendence of the Roman territory, with jurisdiction over the seven suffragan bishops, afterwards called cardinal bishops; the bishops of Ostia, Portus, Silva Candida, Sabina, Praeneste, Tusculum, and Albanum. Thirdly, it included the

*(c) Patri-*

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*archate of suburban provinces.*

*patriarchal* oversight of the suburban provinces,[1] which were under the political jurisdiction of the Vicarius Urbis, viz., Campania, Tuscany with Umbria, Picenum, Valeria, Samnium, Apulia with Calabria, Lucania with Bruttii; in short, Upper Italy, together with the three islands of Sicily, Sardinia, and Corsica. As patriarch, the Roman bishop stood on the same footing as the four great patriarchs of the East, those of Constantinople, Alexandria, Antioch, Jerusalem; he enjoyed however the primacy of honour; and standing alone in the West, whereas four patriarchs divided the primacy of the East, his jurisdiction often seemed to extend to districts where he had no jurisdiction by right. For the vicariate of Rome was only one among four vicariates, into which the great præfecture of Italy was politically divided; the other vicariates being Northern Italy, with its centre at Milan; Western Illyria, with its capital at Sirmium; and Western Africa, with its capital at

[1] The term suburbicariae ecclesiae first appears in RUFINI, *Hist. Eccl.* i. (x.) 6, and was the subject of a violent controversy in the seventeenth century between Jacob Gothofred and his friend Salmasius on the one hand, and the Jesuit Sismond on the other. Two civil officers presided over the vicariate of Rome, the Praefectus Urbi and the Vicarius Urbis. The district of the prefect extended beyond the city of Rome to the one hundredth milestone, that of the vicarius included the ten provinces named in the text. Gothofred and Salmasius maintain that by *regiones suburbicariae* is meant the district of the prefect, whereas Sismond maintains that it is the district of the vicarius. The conclusion would seem to be that, although the former are right in their interpretation of the term regiones suburbicariae, the jurisdiction of the Roman patriarch, nevertheless, extended over the district of the vicarius. See HEFELE, *Concil. Gesch.* i. 380.

Carthage. So far were Gaul, Spain, and Britain from belonging to the vicariate of Rome, that they constituted together a separate præfecture, known as the præfecture of Gaul. Nevertheless all these districts were in time drawn into the patriarchate of Rome, and indeed the whole of Western Europe as it gradually came under the influence of Christianity.

*(3) Beginning of a new dignity. (a) Preparations for the Papacy.*

In addition to this threefold dignity of bishop, archbishop and patriarch, which had belonged to the bishops of Rome ever since the political divisions of the Empire had been reproduced in the metropolitan constitution of the Church, the germs of a fourth and yet higher dignity, which, in distinction from the others, may be termed the *Papacy*, had begun to appear in the fifth century, and were becoming prominent towards the beginning of the seventh century. At first these germs were small indeed, being a mere claim to ecclesiastical primacy; but gradually increasing with the lapse of time, they culminated in the twelfth century in an ecclesiastical monarchy, claiming to be the ecclesiastical counterpart of the Roman Empire, nay more, demanding for the bishops of Rome an absolute despotic sovereignty, not only over ecclesiastical matters, but also over the whole political fabric of Europe. The growth of this new dignity, and the successive stages by which it attained to greatness, until its very greatness led to reaction and decline, occupy from henceforth the central canvas of ecclesiastical history. The annals of pagan Rome, from the first to the fifth centuries, revolve about the history of her emperors. Not otherwise does the history of Western Christen-

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dom from the seventh to the sixteenth centuries revolve about the institution of the Papacy. As formerly the history of Rome was merged in that of her emperors, so from the seventh century onwards the history of Western Christendom was merged in that of her Popes.

*(b) Steps already taken towards the Papacy.*

*(a) Decretal letters.*

A.D. 385

Even before the time of Gregory I. certain steps had been taken by the Roman bishops, indicative of their progress towards the new dignity of the Papacy. On important questions of doctrine or discipline it was usual for bishops of one Church to consult those of another. Greater enlightenment was supposed to belong to certain Churches than to others, and in particular marked deference was paid to the opinions of the bishops of those Churches,[1] in which the genuine apostolical tradition was believed to have been handed down uncorrupted. One such Apostolical Church alone existed in the West—the Church of Rome—unless indeed the mere doubtful tradition of St. Barnabas having been at Milan can be authenticated; and hence on all disputed points the Western bishops could appeal only to the Church of Rome. In reply to the questions addressed to them, the Roman bishops had issued pastoral epistles from the time of Siricius onwards, at first couched in the language of fraternal counsel, but soon assuming the tone of apostolic authority, and about the year 500 the name of decretal letter is first met with.[2] The simpler

[1] On the respect paid to Apostolic Churches in early times see TERTULL. *De Praes. Haer.* ch. 36, and in particular IREN. *Adv. Haer.* iii. 3.

[2] According to GIESELER, *Eccl. Hist.* i. 436 (English transl.),

term epistle now disappears altogether. Its place is exclusively occupied by decretal letters. In itself, and taken alone, this change of name may seem a small thing, hardly deserving consideration; but yet that change in the use of a term indicated a real change of feeling and a real change of relations. It showed that the relation of other bishops to that of Rome was altered, and that Christendom was conscious of the alteration. It showed that the filial relation of deference was at an end, supplanted by the servile relation of dependence. It showed that the Roman Church was fast progressing to the time when she would be mistress of Churches, laying down laws which none might dare to gainsay.

Nor was this result retarded by the inclusion of Africa, Spain, France, and the independent Churches of Milan and Ravenna in the patriarchate of Southern Italy. Africa, after resisting the appeal of Apiarius to the two Roman bishops, Zosimus and Cœlestine,[1] yielded her claims to independence from a sense of

note, the first existing decretal is SIRICII *Epist. ad Himerium Episc. Tarraconensem* A.D. 385, but it refers to missa ad provincias a venerandae memoriae praedecessore meo Liberio [352–366] generalia decreta. The expression Epistola Decretalis first appears in the so-called Decretum Gelasii de libris recipiendis et non recipiendis about 500 A.D. The original term is Decretum, afterwards Statutum, or Constitutum decretale. Properly decretum means the decision of a college, and it may have been used as expressing the decision of the Roman Presbytery. See SPITTLER'S *Gesch. des kanon. Rechts*, Halle, 1778, p. 157.

[1] A presbyter, Apiarius, having been deposed for sundry offences by Bishop Urbanus of Sicca, a disciple and friend of Augustine, had appealed to Rome, and been restored to office by Zosimus on the strength of the Sardican canons, which were quoted as Nicene. Apiarius was deposed again, but the attempt of Cœlestine to

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her weakness under the shock of the Vandals.[1] The Catholic bishops of Spain, oppressed by the Arian Vandals, Suevi and Alani, sought to fortify their own position by cultivating a closer union with Rome. In France the dissensions between the archbishops of Arles on the one hand, and the metropolitans of Vienne, Narbo, and Marseilles on the other, had afforded Zosimus an opportunity for intermeddling in the affairs of that Church.[2] Zosimus had appointed the archbishop of Arles his vicar. Leo withdrew the privilege from Hilary on the appeal of a deposed bishop, and reinstated Celidonius in the see of which Hilary had deprived him. As though this exercise of more than patriarchal authority were not enough, he obtained from the weak emperor Valentinian III. an edict, addressed to Aetius, the governor-general of Gaul, confirmatory of his conduct;[3] in which, among other things, it is

A.D. 418–424

440–461

443

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restore him was met by the Africans forbidding all interference and interdicting appeals to foreign bishops. See *Conc. African. ad Coelestinum*, A.D. 425, and *Concil. Milevitan.* ii. A.D. 416, Can. 22 in GIES. *Eccl. Hist.* i. 450 note (Engl. Trans.). MIL. i. 240.

[1] GIES. *Eccl. Hist.* i. 452.

[2] On the dispute between Hilary and Leo, see GIES. i. 448.

[3] The words of the edict quoted by GIES. i. 452 note : 'Cum 'igitur sedis apostolicae primatum sancti Petri meritum, qui prin- 'ceps est episcopalis coronae, et Romanae dignitas civitatis, sacrae 'etiam synodi firmarit auctoritas, ne quid praeter auctoritatem 'sedis illius illicita praesumtio attentare nitatur. Tunc enim 'demum ecclesiarum pax ubique servabitur, si rectorem suum ag- 'noscat universitas. . . . . Nec hoc solum, quod est maximi cri- 'minis, submovemus, verum ne levis saltem inter ecclesias turba 'nascatur, vel in aliquo minui religionis disciplina videatur, hac 'perenni sanctione censemus, ne quid tam episcopis Gallicanis

stated that no one ought to attempt anything without the authority of the Apostolic See, that peace can only be preserved in the Churches when the whole universe acknowledges its ruler; that no bishops of Gaul or elsewhere should attempt anything without its being ratified by the authority of the venerable bishop of the eternal city, and that whatever he has sanctioned or shall sanction shall have the force of law, and be executed by the civil authorities. Milan, too, the independent patriarchate in northern Italy, tracing back its origin to the Apostle Barnabas, had become reconciled to Rome when pressed by the Lombards.[1] Ravenna had done the same. And elsewhere in Europe, thanks to the labours of the early missionaries, new nations were being won for Christ, and at the same time for the patriarchal rule of Rome. All circumstances, in short, seemed to have combined to facilitate the establishment of an ecclesiastical monarchy. The assertion had already been made that the bishop of Rome is subject to no earthly judge.[2]

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'quam aliarum provinciarum contra consuetudinem veterem liceat 'sine viri venerabilis papae urbis aeternae auctoritate tentare. 'Sed hoc illis omnibusque pro lege sit, quicquid sanxit vel sanxerit 'apostolicae sedis auctoritas, ita ut, quisquis episcoporum ad 'judicium Romani antistitis evocatus venire neglexerit per mo- 'deratorem ejusdem provinciae adesse cogatur, per omnia servatis, 'quae divi parentes nostri Romanae ecclesiae detulerunt.'

[1] GIES. ii. 129.

[2] By ENNODIUS, bishop of Ticinum, 511, in his *Libellus Apologeticus pro Synodo* IV. *Romana*—the *Synodus Palmaris*, A.D. 501. See LABBÉ and COSSART ad annum. The Synod has been convened in 501 by Theodoric to examine the charges alleged against the new-elected bishop, Symmachus. See GIES. ii. 124. The

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A.D. 570–580

B. *Gregory I. the Great.*

A.D. 590–604

The prestige which Gregory I. found attaching to the See of Rome at the time of his accession to office, he continued to advance in more ways than one, sometimes consciously, but more often unconsciously in the faithful discharge of what seemed to him to be his duty. Under no circumstances, however, can Gregory be charged with the low personal ambition which was displayed by so many of his successors. If Gregory wished to advance the powers of the Bishop of Rome, it was for the sake of order and discipline. If Gregory sought to include under the sheltering wing of his patriarchate the whole of Western Europe, it was that it might profit by the civilising influence of the Roman Church—a Church in culture, in purity, in the grandeur and impressiveness of her services far surpassing any of her Western sisters. If Gregory overstepped a patriarch's admitted rights, drawing the ties of connection between himself and other bishops more closely, and sometimes undoubtedly transgressing his rightful powers, it was again done in the interests of morality and purity. Europe acquiesced in his zeal for discipline. If the voice of discontent was raised by some aggrieved prelates, pleading the rights of their Churches, it was soon stifled in the general approval which Gregory's conduct commanded among all the better men. Gregory's interference was felt to be judicious, well-timed, in the cause of truth; and soon the question of

Synod according to Ennodius stated: 'Non nos beatum Petrum, 'sicut dicitis, a domino cum sedis privilegiis, vel successores ejus, 'peccandi judicamus licentiam suscepisse.'

right was dropped altogether, and it became a received axiom, that the closer the connection between any Church and Rome, the more would true religion flourish and abound.

Viewing the matter from another side, the importance of Gregory's administration for the subsequent history of the Papacy cannot be overrated. Western Europe was then in a most susceptible state, just beginning to settle down after the violent convulsions which had overthrown the Western Empire. Everywhere were new nations, brave, impetuous, capable, but ignorant alike of letters and political institutions. Like children emerging into youth, the nations of Europe were then most susceptible of every influence, either for good or evil. Whatever culture they might now meet, whatever creed they might now learn, whatever institutions they might now be accustomed to, either in Church or State, this culture, creed, and institutions would be theirs for the future. Perhaps at some far distant time they might rise superior to the associations of their childhood, but that time would not be till their maturity was past. Hence the bearings on the future of Rome's attitude towards them at the beginning of the seventh century. Hence the importance of Gregory's powerful administration. It taught them to expect powerful administration from Rome; it taught them to expect to see that power exercised in the cause of justice and right; it taught them to reverence Rome, and to submit, to own her moral ascendency, to learn to obey. Had a pontiff less zealous, less energetic, less able than Gregory I.

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occupied the See of Rome, had he been followed by pontiffs imbued with less of his spirit than Gregory III., Zacharias, and Nicolas I., the ecclesiastical relations of Europe might have been altered. An archbishop of Cologne, or Triers, or Mainz, might have occupied the place that the popes did in later times, or the nations of Europe might have developed more republican and less monarchical forms of government.

The points in Gregory's career which contributed towards bringing about these results, may be summed up under the three heads of: 1, Gregory's ecclesiastical administration; 2, his political relations; and 3, his home relations. Under the former head must be included not only Gregory's general policy towards other Churches—that policy of drawing the ties closer between himself and them, in which he was influenced in no small degree by the political position of the empire, still in theory the mistress of the world;—but still more the mission which he set on foot to England, so fruitful in after consequences; since through England, Germany, and through Germany, France, was attached to Rome in the closest ties of dependence. To these must be added the cases of intervention with individual bishops, and his attitude towards his Eastern rival. The second head will include Gregory's attitude towards the Empire, and his political relations to the Lombards. And under the head of home relations a few words must be devoted to his internal administration of the See, and to his own life and character, which though less fraught with immediate consequences,

added weight and authority to his intervention elsewhere. CHAP. II.

To a great extent Gregory's general policy in ecclesiastical matters was the result of the view he entertained of his position, as within the Church corresponding to that of the emperor within the state; recognising himself as subject to the emperor no doubt in temporal concerns, but in ecclesiastical matters as wholly independent. The Empire was the one great institution raised above national peculiarities by ignoring them, embracing all, excluding none. It was the one political power to which all others were or were believed to be subject; and since the extinction of the Western Empire by the barbarians, and the reconquest of Italy, it was reunited under one head in the Eastern Emperor. Such an institution, too, was the Church, an outward visible society, knowing no distinction of Jew or Greek, of barbarian or Scythian. Ought not this society likewise to have one supreme head in the person of St. Peter's successor? Such may have been the thought as it presented itself to the mind of Gregory. Practically, this theory was far from representing the facts. For, since the Lombard invasion, the emperor's dominions in Italy were limited to the exarchate of Ravenna, the duchy of Rome and Naples, the cities on the coast of Liguria, and the extreme provinces of Lower Italy.[1] Indeed any one who recalls the extent of the dominions of the Vicarius Urbis,[2] will discover that the rightful territory of the Roman

(1) *Ecclesiastical Administration.*
(*a*) *General Policy.*

A.D. 476

568

[1] Gies. ii. 130.

[2] See p. 12.

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patriarchate was originally limited to one-fourth of the Italian præfecture, whatever might be the addition made in point of fact by an extension of its supervision to other and more distant districts.

The theory of Rome's universal sovereignty, however, was one which had taken such a firm possession of men's minds; that Empire had already survived so many shocks, and finally asserted its dominion over so many barbarous nations, that the upheaval of Europe by the invasion of the northern nations, seemed but a passing wave of confusion, which would soon subside into order again. Meantime what could a loyal Roman bishop so well do as to bring subjects of the Empire into close connection with himself? How could he escape the responsibility of holding the emperor's place during the abeyance of order?

In such a spirit of loyalty and religious duty Gregory I. may have acted in his endeavours to centralise all authority in himself. Imbued with the idea that to himself was intrusted by Christ the care of the whole Church,[1] his conscientiousness led him to desire a personal supervision of all the Churches. Regarding Europe simply as a part of the universal Empire of Rome, and himself as a subject of Rome, Gregory I. may have felt that ecclesiastical dependence on a Roman bishop would best accustom subject nations to political dependence on a Roman

[1] L. ix. Ep. 12: 'De Constantinopolitana ecclesia quis eam 'dubitet, apostolicae sedi esse subjectam? L. ix. Ep. 68: 'Sine 'apostolicae sedes auctoritate atque consensu nullas quaeque acta 'fuerint vires habeant [synodi].

emperor, and thus advance order and good government in general. Once Rome had thrown the network of her institutions over the southern world, and the Church had reproduced them; now the Church would throw that very same network of ecclesiastical institutions over Europe, that upon them the Empire might fasten itself. Little was Gregory aware that there was an independent vigour in the Teutonic nations, such as the worn-out nations of the old world did not possess, and that although the spell of a higher civilisation might for a time secure the victory for Rome whilst Europe was rude and ignorant, yet that no sooner would Europe awake to a consciousness of its own powers than it would shake off the Empire and shake off the Papacy as well, building on their ruins a new fabric suited to its own wants, and expressing its own character.

*(b) Conversion of England.*

To natives of England, descended from Saxon forefathers, who, during the latter part of the fifth and sixth centuries had formed settlements in this country, wholly eradicating from the Eastern and Midland districts all traces of Christianity,[1] a special

[1] The arguments for and against the existence of an early British Church are summed up in PEARSON'S *Early and Middle Ages of England*, ch. v., with the following results: 'A Christian 'Church *must* have existed in Britain in the fourth century, and it '*may* have been founded much earlier, but it was throughout a *mis-*'*sionary* establishment, chiefly working among the native [Celtic] 'tribes. . . . There is no reason to believe that this British 'Church was either enlightened, or pure in doctrine, or severely 'moral. Its delegates seem to have consented to the Arian apos-'tacy at Rimini [A.D. 357]. A few years later the speculations of 'Pelagius were generally adopted. As late as A.D. 429 the greater 'part of the British army at Maes Garmon was unbaptised, although

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interest seems to gather about the name of Gregory I., as being the instrument by whom an organised Church was first introduced into their island. Whatever notions of Christianity may once have existed among the Celtic inhabitants who previously occupied these districts of Britain; those notions had been entirely obliterated by the invasion of the Saxons; and only among the Celtic races of Wales and Cornwall did anything like Christian Churches still survive.[1] To Gregory, therefore, Saxon England is indebted for all her Christianity. To his zeal she owes her Church, her bishops, her monasteries. Ever since the day when visiting the slave-market in Rome,[2] he had come in contact with the fair light-haired Saxon youths, and had asked after their place of birth, the name of their nation, the province from which they came, and the name of their prince, playfully putting a new meaning on their replies—How could the author of darkness possess men of countenances so fair? Were they called Angles? it was well since they possessed angelic faces, and would soon be co-heirs with the angels in heaven? Was their province called Deira?

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'nominally Christian.' The native historian GILDAS, *Hist.* iii. 22, declares that the wars and invasion which scourged the island were the just vengeance of God on the ineffable sins of the princes and people. But whatever knowledge of Christianity *may* have existed among the earlier Celtic inhabitants, two facts are at least certain: 1, that the Saxon inhabitants of England were heathen at the time of Augustine's mission: and 2, that Saxon England received her first knowledge of Christianity from Rome.

[1] See FREEMAN'S *Norman Conquest*, i. 33.

[2] BEDE, *Hist. Eccl.* ii. 1.

CHAP. II.

Truly they were rescued *de ira*. Was their king called Aella? Then soon would Alleluia to the praise of the Creator resound in his realm—ever since that memorable day Gregory could never forget his much-loved Angles, and was haunted by the desire to win them for Christ. Once he had formed the scheme of setting out on a mission to them himself, but had been unable to carry it out, since the Romans would not allow him to leave their city. But at length Augustine had been despatched, and Kent had been won by his preaching. Letters were frequently passing between Gregory and England, and soon England was brought into peculiar relations of dependence on Rome. Perhaps nowhere else was the veneration for Rome so intense as among the English people. Monks and nuns, bishops and princes, were continually making pilgrimages to Rome, by which the tie was knit all the closer. A store of books and the elements of art[1] were introduced from Rome into England, and after the Synod of Whitby,[2] the Roman uses prevailed in the northern parts of the country, having displaced the uses introduced from Scotland: for, said Oswy, then king of Northumbria, 'Both Colman and Wilfrid agree that the keys of heaven were given to Peter by our Lord. And I also say unto you that he is the door-keeper, whom I will not contradict . . . . lest when I come to the gates of the kingdom of heaven there should be none to open them, and the possessor of the keys prove my enemy.' The historians of a

A.D. 664

[1] Bede, *Hist. Eccl.* iv. 18. Neand. v. 157. [2] Bede, iii. 25.

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later day, when the rupture with Rome had come about, may magnify the instances of insubordination and rebellion against Rome which are on record; but these instances, far from proving a general combination of the people to resist claims, which they believed to be unfounded, are rather evidence of the insubordination of a rude and still lawless people. Throughout the Saxon Church appears in the closest connection with Rome; and until the Norman Conquest altered the relations between England and Rome, the general desire was to draw the connection still closer, and on every point to assimilate the English Church to that of Rome.

*(c) Relations to individual bishops.*

Yet neither Gregory's general policy, nor the conversion of England, fruitful as it was in after consequences, exhibits so clearly the vigour of his ecclesiastical administration as do his particular relations to individual bishops. Witness his epistles addressed to Augustine, or those addressed to the French bishops, his conduct toward the Bishop of Sipontum, calling him to account for his criminal remissness, his deposition of Laurence, the first of the seven deacons, and his degrading the Bishop of Melita.[1] His letter addressed to Natalis, Bishop of Salona, requiring him to restore his deposed Archdeacon Honoratus, whose only fault had been that he had too faithfully protested against the unlawful conduct of Natalis, may appear a stretch of his patriarchal prerogative,[2] but it was a stretch of

*(c) In Dalmatia.*

[1] See MILMAN, ii. 120. NEANDER v. 150 (Engl. trans.).

[2] NEANDER v. 152.

power in the cause of justice and discipline. Natalis could have expected no milder treatment at the hands of a synod. A bishop who could defend his luxurious entertainments by appealing to the example of Abraham, who could give away to his relations the vessels and hangings of the Church, and who could plead in defence of his own idleness that Christ had promised to grant the illumination of the Spirit, to those who ask, does not seem to have been hardly treated by Gregory. The general feeling of the age condemned the conduct of Natalis. What could he do against the just decision of Gregory ? CHAP. II.

(3) *In Spain.*

Nor was this instance of intervention in the affairs of a distant Church unique. With similar rigour Gregory interposed his authority in Spain to restore two bishops[1] who had been deposed by the caprice of a nobleman. The Spanish Church had in fact yielded her independence to Rome in the time of Leo I., and the authoritative tone which Siricius had first used when addressing Bishop Himerius, had been reproduced in Leo's letters to Turibius, Bishop of Asturica, and to the Bishops of Gaul and Spain. Since then Simplicius had appointed a Spanish bishop, Zeno of Seville, papal vicar. Now Gregory, by conferring the pallium on Leander, completed the Roman claim to superiority.[2] The subjection of the Spanish Church had been rendered easy by the conversion of the Visigothic king Reckared to the Nicene faith. The closeness of a tie which the older Spanish communities had resorted to, to protect

A.D. 443

467-483

[1] NEANDER v. 157.

[2] GREG. *Ep.* i. 41.

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themselves from Arianism during the Visigothic dominion in Spain, was, by his conversion, extended

A.D. 589

to the whole Spanish Church, though it was in consequence somewhat relaxed;[1] and henceforth the archbishops of Seville habitually received the pallium at the hands of the Roman pontiffs in token of their superior jurisdiction.

(γ) *In Gaul.*

In Gaul Gregory's authority was of a more restricted character, greater, however, in the southern than in the northern district. The Franks, until their sovereigns leagued themselves with the bishops of Rome for purposes of mutual aggrandisement, could never forget that their Church had sprung up independently of Rome.[2] Nevertheless there were not wanting instances of Roman intervention in the affairs of the Gallic Church. Two Frankish bishops, Salonius of Embrun and Sagittarius of Gap,[3] after having been rightfully deposed, had been restored

A.D. 559–573

to their sees by John III.; but their restoration was really due to the favour of King Guntram, who first allowed them to appeal to Rome, and afterwards enforced the decision of John III. It neither reflects credit on the pontiff's judgment nor on his independence of political influences. By Gregory letters were frequently addressed to the sovereigns of France, to Queen Brunhild, to Thierry and Theodebert, and to Clotair, full of remonstances against the irregularities[4] prevailing in the promotion of young and unworthy persons to ecclesiastical digni-

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[1] GIES. ii. 188; NEAND. v. 157.
[2] GIES. ii. 187.
[3] MILMAN, i. 444.
[4] *Ibid.* ii. 121.

ties; but by the state of the French Church a few years later, it would not appear that his remonstrances were attended with much effect.

(') *Relations to other Patriarchs.*

If proof were required to show that in all his interposition in the affairs of foreign churches, Gregory was actuated by a disinterested love of justice and the advancement of true religion, rather than by any selfish love of power, such proof may be easily found in his conduct towards the great patriarchs. There is nowhere any extravagant assumption of power, or claim to supremacy, but, on the contrary, there is a depression of such claims in others, and a straightforward expression of censure.

The phrase 'as you commanded,' when addressed to himself in a letter by Eulogius, patriarch of Alexandria, is disclaimed; 'I know,' he replied,[1] 'who I am and who you are. In dignity and rank you are my brother, in piety my father. I did not command you, but only suggested what to me seemed expedient.' In writing to the same prelate, the title Papa universalis, when applied to himself, is carefully deprecated, although it was a title in common use among the Greek bishops of the principal cities. Even in rebuking the pretensions of John the Faster, patriarch of Constantinople, for using that title, Gregory was careful to use gentle language in order to spare the emperor's feelings, although in a private letter addressed to his plenipotentiary, he speaks of John's conduct with the severest reprobation. When the Papacy was fully established, no Pope would

[1] NEANDER, v. 153.

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have hesitated to claim the name. No Pope would have moderated his language out of deference to the feelings of an emperor. But whilst by his acts Gregory was pushing his patriarchal prerogatives to a dangerous limit, the tone of the Papacy, which was ushered into the world by the false decretals, was far from being his. He was building up the framework, into which the spirit of hierarchical despotism was subsequently infused; but his was not that spirit. No one was less anxious than Gregory to claim for himself an absolute ecclesiastical sovereignty. No one contributed more than he did to establish such a sovereignty. No one was less anxious to use his primacy except in the cause of justice and truth; no one more paved the way for its later abuses.

*(2) Political relations.*

*(a) To the Empire.*

If Gregory's powerful administration prepared the way for the ecclesiastical career of the Papacy, his political relations were not less efficacious in attaching it to the temporal powers of Europe and thereby gaining for it a political importance. Gregory acted as a loyal subject of the Empire in his guardianship of Rome, and in his relations to the barbarian nations; his loyalty was repaid by the privileges he received in return. Among the great vassals of the emperors none were more powerful or more wealthy than the bishops of Rome; none had greater influence with the people; to none were such marked prerogatives allowed; none had so great a political consequence, which was rendered all the more necessary from the unsettled state of Italy. From none, however, did the emperors receive greater

fidelity, until, themselves too powerless to give protection against the foes by whom the very existence of Italy was imperilled, they compelled the Popes to transfer their allegiance elsewhere in return for the protection which they received.

From their entrance into office until its close, the emperors allowed the bishops of Rome to be represented at the court by clerical representatives, called Apocrisiarii or Responsales; the confirmation of their election was applied for at Constantinople by the Roman clergy[1] in terms of the most abject humility; their taxes were paid into the imperial exchequer. In the close intimacy which prevailed between the See of old Rome and the court of new Rome may be found an early instance of the intimacy which was reproduced by the popes and emperors of the Holy Empire. At the time of Gregory, however, that intimacy was still in its infancy. Gregory might remonstrate and protest against imperial decisions; he might triumph over the fall of Maurice;[2] but Gregory was still a subject of Rome, and even bowed before Phocas with base adulation.

*(b) To the Lombards.*

In dealing with the Lombards, however, at once the nearest and most dangerous opponents of the

[1] In the *Liber diurnus Romanorum Pontificum* in the eighth century, the form of application is to be found addressed to the emperor: 'Lacrymabiliter cuncti famuli supplicamus, ut domi-'norum pietas servorum suorum obsecrationes dignanter exaudiat 'et concessa pietatis suae jussione petentium desideria ad effectum 'de ordinatione ipsius praecipiat pervenire.' See NEAND. v. 156; GIESELER, ii. 131.

[2] GIES. ii. 132.

PART I.

Empire, he acted with all the rigour of an independent prince. His exposition of Ezekiel was abruptly broken off, when the Lombards had advanced so far as to besiege the city; the commanders of the garrison were encouraged to avert the impending capture of the metropolis; by his influence a final peace was
A.D. 593 concluded. The exarch pretended to despise Gregory's weakness, in supposing the Lombards disposed to peace; the Emperor Maurice regarded his proceedings with jealousy; but Gregory possessed greater powers than he displayed. He had gained the Queen Theodelinda; he had reconciled her to Constantine, Bishop of Milan. Under her son Adelwald more Lombard subjects embraced the Nicene faith, and from the time of King Grimoald it became the received religion of the Lombards.[1] Nevertheless, even after their change of creed, the Lombards remained as before the most implacable enemies of Rome; their attitude was always menacing; often their menaces were carried into cruel execution.

(3) *Internal administration.*

Amidst all this extension of the boundaries of the Church, the care devoted to distant parts, and the troubles which disturbed Italy, Gregory I. never forgot the claims of his own Church or his position in it as bishop. Living a simple and monastic life in the midst of monks and clergy, superintending the music which he had lately improved, labouring

[1] GIES. ii. 186; NEAND. v. 156; MILMAN, ii. 132 *seq.*

diligently as a preacher, and no less actively in relieving the wants of the needy by a monthly distribution of alms; at one time expounding Ezekiel whilst the Lombards were threatening the city; at another cutting himself off from the eucharist because a poor man had been found dead in the streets; at another sending dishes from his own table to persons whom he knew to be in want; at another labouring with his pen, or improving the service of the mass, Gregory astonishes us no less by the versatility of his genius than by his philanthropy and Christian devotion.[1] So far from entertaining proud notions of his own position, although surrounded with all the splendour of rank, he looked upon official life as a burden: 'I, therefore,' he writes, 'consider what I endure; I consider what I have lost; and when I behold that loss, what I bear appears the more grievous.'[2] So far from claiming an absolute sovereignty over the Church, he applied to himself in a genuine sense the modest title which the haughtiest of his successors have never since disdained. Gregory, the greatest bishop that had hitherto been chosen to preside over the Western Patriarchate, could call himself 'Servus servorum Dei;' and yet this servant of servants, if Leo I. is excepted, stands out immeasurably above his predecessors and successors for centuries.

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[1] See NEAND. v. 149; MILMAN, ii. 113; MONTALEMBERT, ii. 80; GIES. ii. 145.

[2] See GREG. *Praefat. in Dial.* Opp. iii. 233; Epist. i. 4, 7.

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C. *The successors of Gregory I.*

A.D. 604–725

(1) *Dependence on the Eastern Empire.*

Under the successors[1] of Gregory I. the See of Rome still continued in dependence on the Eastern Empire, and many of the Roman bishops experienced to their cost the dangers of such a state. The opponent of the Monothelites, Martin I., who in his zeal to guard the purity of the Church's teaching called a council at Rome in the year 649,[2] and there promulgated twenty canons by way of reply to the

[1] The successors of Gregory were as follows :

| | Elected | Died | |
|---|---|---|---|
| Sabinianus | 604 | 605 | His life in LABBÉ, vi. p. 1349. |
| Boniface III. | 606 | Nov. 606 | *Ibid.* p. 1351. |
| Boniface IV. | 607 | 614 | *Ibid.* p. 1353. |
| Deusdedit | 614 | 617 | *Ibid.* p. 1385. |
| Boniface V. | 617 | 625 | *Ibid.* p. 1395. |
| Honorius I. | 625 | 639 | *Ibid.* p. 1417. |
| Severinus | 640 | 640 | *Ibid.* p. 1503. |
| John IV. | 640 | 642 | *Ibid.* p. 1509. |
| Theodore | 642 | 648 | *Ibid.* p. 1527. |
| Martin I. | 649 | 655 | *Ibid.* vii. p. 1. |
| Eugenius I. | 654 | 657 | *Ibid.* p. 445. |
| Vitalian | 657 | 672 | *Ibid.* p. 457. |
| Adeodatus | 672 | 676 | *Ibid.* p. 537. |
| Donus | 676 | 678 | *Ibid.* p. 587. |
| Agatho | 678 | 682 | *Ibid.* p. 587. |
| Leo II. | 682 | 683 | *Ibid.* p. 1451. |
| Benedict II. | 684 | 685 | *Ibid.* p. 1485. |
| John V. | 685 | 686 | *Ibid.* p. 1495. |
| Conon | 686 | 687 | *Ibid.* p. 1499. |
| Sergius I. *Paschal. Theodore.* | 687 | 701 | *Ibid.* viii. p. 1. |
| John VI. | 701 | 705 | *Ibid.* p. 105. |
| John VII. | 705 | 708 | *Ibid.* p. 111. |
| Sisinnius | 708 | 708 | *Ibid.* p. 119. |
| Constantine I. | 708 | 714 | *Ibid.* p. 111. |

[2] MIL. ii. 323 (book iv. ch. 6).

'Type of Constans,' circulating them throughout the Western Church, and seeking to obtain for them universal adoption, soon felt the heavy arm of the imperial vengeance. The 'Type' had been published as an imperial edict. Hence the conduct of Martin seemed treasonable to the Byzantine despot. The arrival of Calliopas as Italian exarch in Rome was the signal for Martin's punishment to begin. There, as he lay prostrated by an illness which had lasted several months, reclining on his couch at the altar of the Lateran Church, with the clergy assembled around him; and the multitudes which had assembled on the previous Sunday for public worship had dispersed; he was suddenly attacked. Calliopas had ascertained that no armed force was secreted within the building for the Pope's protection, and pushing forward into the Church with his attendants read out the imperial mandate, declaring Martin deposed, on the ground that he had obtained the see irregularly and illegally. At once Martin was seized, and protesting that he would ten times rather die than see blood shed on his account, was hurried to his own palace. At midnight a litter was there into which he was forced, and as it passed the gates, those gates were closed behind to prevent his attendants following. Without delay he was conveyed to the port and embarked. A long career of trouble now awaited Martin. There was the tedious voyage, during which the bishop, old, sick, and infirm, was left for a year on the Island of Naxos; the troubles of the journey being embittered by the severity of his guards, who drove away with

CHAP. II.

June 15, 653

PART I.

A.D. Sept. 17, 654

insults all who came to offer him little kindnesses. There was the arrival at the port of Constantinople, when he was left on board ship sick and in bed, exposed till evening to every kind of annoyance; the solitary confinement for ninety-three days in prison; the hearing before the appointed tribunal, during which he was requested to stand, although too weak to keep erect without help; the derision of his judges; a further confinement of eighty-five days; the tragedy concluding with his exile to the town of Chersonesus, where, in the midst of unfeeling barbarians he died in the greatest privations.[1] Rome may well look back with pride on a bishop who stood firm in the midst of such sufferings, and whose letters during that period breathe a spirit of heroic submission: 'With the help of your prayers,' he wrote to Theodore, 'and the prayers of all the faithful who are with you, I shall, living and dying, defend the faith on which our salvation reposes: for to me to live is Christ, and to die is gain.'[2] Yet he, whom Rome now delights to honour, had another tale to tell during the year of his exile. 'Although,' he writes, 'St. Peter's Church possesses no gold, yet through the mercy of God it has stores of grain and wine and necessaries of life. What fear then has

A.D. May 15, 655

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[1] See the account in his own letter to Theodore, Ep. xv. xvi. LABBÉ, vi. 65, 75.

[2] Ep. xiv. LABBÉ, vi. 65: 'Opitulantibus nobis orationibus 'vestris, ac omnium fidelium Christianorum, qui vobiscum sunt, 'et vivens et moriens salutis nostrae fidem defendam, et quem-'admodum beatus Paulus apostolus docet: Mihi vivere Christus 'est, et mori lucrum.'

fallen upon it which restrains it from fulfilling God's commands? . . . Or have I appeared to the whole Church so like an enemy? But may God, who will have all men to be saved, establish their hearts in the faith by the mediation of St. Peter! . . . As regards my feeble body, the Lord Himself will take care of that . . . for the Lord is nigh, and I hope in His mercy that He will soon finish my course?'[1] He died on September 16. Martin was not the only Roman bishop who suffered the misery of dependence on the Eastern Empire. Eugenius I. and Vitalian, his successors, suffered it likewise. If they were saved from meeting a fate similar to that of Martin, it was only because their weak prudence led them to acquiesce in the publication of the 'Type;' but by so doing they forfeited the respect of their orthodox cotemporaries or of posterity.

A.D. Sept. 16, 655 — 654–657 — 657–672

Fresh strength was added to the position of the Roman bishops by the triumph of Martin's party at the sixth general council, notwithstanding the imperial support given to the Monothelites; and soon the title episcopus universalis, once denounced by

680

[1] Ep. xvii. LABBÉ, vi. 26: 'Miratus sum autem, et adhuc miror 'indiscretionem et incompassionem omnium, qui quondam mihi 'pertinebant . . . quia sic funditus infelicitatis meae obliti sunt, 'et nec scire volunt, ut invenio, sive sim super terram, sive non 'sim. Miratus quoque multo magis sum in eos qui sunt sanctis-'simae apostoli Petri ecclesiae, quoniam tantam dederunt operam 'de corpore ac membro suo, id est super dilectione nostra, ad 'reddendos nos sine solicitudine, saltem super corporali usu quoti-'dianoque sumptu. Nam etsi aurum ecclesia sancti Petri non 'habet, frumento tamen et vino et aliis necessariis expensa non caret 'per gratiam Dei, ut modicae saltem exhibitionis curam gessissent.'

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Gregory I. as anti-Christian, began to be generally assumed. This time it was more than a title; it was the symbol of a real pretension; and Gregory had probably denounced it in others for fear it might come to be so misused. It implied that the Western Patriarchs were beginning to regard themselves as raised above all other patriarchs; for had they not recently been almost the sole champions of orthodoxy when others had bowed to Monothelitism? It implied also a growing independence of the Eastern Empire; for had not they alone supported orthodoxy against the pressure of the imperial court? After the sixth general council, this increase of freedom appears on several occasions more clearly. In vain, the Quinisext Council repudiated the Roman canon on the celibacy of the clergy and propounded others in its place; in vain Justinian II. attempted to compel the Roman bishop, Sergius I., to subscribe
A.D. 687–701 to the decrees of that council. The garrison of Ravenna rose in rebellion; the protospatharius was driven with insult from the city, and Sergius was
701 obliged to interfere to allay the tumult among the indignant soldiery. The mere suspicion of a similar intention against John VI., caused a new uproar
701–705 against the exarch, Theophylact, whose life was only saved by the persuasive eloquence of the bishop. Profiting by experience of failure, Justinian soon afterwards adopted a different course towards
708–714 Constantine, and invited the bishop to visit him.
710 Everywhere Constantine was well entertained;[1]

[1] Milm. ii. 337; Gies. ii. 185.

from the emperor himself he received distinguished marks of honour; but whether he subscribed to the decrees of the Quinisext Council or not, is a point on which history is silent.

In other respects, too, Rome held her own. Thus the custom of awaiting the imperial confirmation, before entering on office, which had been introduced under the Ostrogothic kings, was relaxed and in time abolished: an imperial edict was obtained by Agatho, granting an abatement of the fees payable to the emperor at confirmation; Benedict II. secured the privilege of being confirmed without delay by the exarch; and when the heretical Philippicus Bardanes assumed the purple, Rome refused to give him her obedience.

678–682

A.D. 683–685

(2) *Submission of the West.*

(a) *The Vicariate of Africa.*

Whilst Rome was gradually breaking loose from her political anchorage in the East, she had meantime been strengthening her hold over subject Churches in the West. No further resistance was offered to her pretensions by the church of Africa, itself sore oppressed by the rise of the Mahommedan power.[1] A letter of the African bishops to Theodore, bishop of Rome, speaks of the Apostolic See as being a 'great and never-failing source for all Christians, from whence issue the streams which water the universal Church, and to which, by the decrees of the fathers, a special reverence has been attached.'[2] It went even further; it declared that 'by the ancient

A.D. 642–649

[1] NEAND. v. 113; GIES. ii. 170; MILM. ii. 162 (book iv. ch. i.).

[2] 'Magnum et indeficientem omnibus Christianis fluenta redun-
'dantem, apud apostolicam sedem consistere fontem nullus ambi-
'gere possit, de quo rivuli prodeunt affluenter, universum largissime

PART I.

canons it had been ordered that no subject should be discussed or decided even in the most remote districts, without being brought under the notice of the Apostolic See, that it might be confirmed by the authority of that See.' Africa had changed her tone since the time of Augustine. The wave of the Vandals had passed over her; the Mahommedan conquest had laid her low; powerless and helpless, she looked to Rome, whose claims she had rejected in her glory, and she tendered submission. It was not a free submission she now gave, but one wrung from the misery of desolation.

*(b) Submission of Ravenna.*

One after another the independent archbishoprics of the West disappear from view, and are merged in the growing territory of Italy. The archbishops of Ravenna had once aspired to hold the first place among the great prelates of Italy when their city was the seat of the exarch,[1] basing their claims on privileges secured to them by the emperors Heraclius and Constantine. In the days of the Monothelite troubles, when Rome espoused the cause of ortho-

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'irrigantes orbem Christianorum, cui etiam in honorem beatissimi 'Petri patrum decreta peculiarem omnem decrevere reverentiam 'in requirendis Dei rebus. Antiquis enim regulis sancitum est, ut 'quicquid, quamvis in remotis vel in longinquo positis ageretur 'provinciis, non prius tractandum vel accipiendum sit, nisi ad 'notitiam almae sedis vestrae fuisset deductum, ut hujus auc-'toritate, juxta quae fuisset pronunciato, firmentur, indeque sum-'erent ceterae ecclesiae velut de natali suo fonte praedicationis 'exordium, et per diversas totius mundi regiones puritatis incor-'ruptae maneant fidei sacramenta salutis.' Quoted by GIES. ii. 185 note, and LABBÉ in the *Acts of Concil. Later.* an. 649.

[1] GIES. ii. 185; MILM. ii. 329.

doxy, the emperors that of the Monothelites, they had renounced their connection with Rome and assumed the management of the Church of the exarchate. Those struggles over, they had renewed their connection with the Roman bishops. Now—such was his influence at court—Leo II. procured an imperial rescript, placing the Church of Ravenna under the jurisdiction of the Roman See, and, on the election of Felix to the archbishopric, he was compelled, notwithstanding his objections, to sign the customary writing testifying his allegiance to the Roman See; and unwillingly to renounce the independence of the See of Ravenna. Nevertheless, again more than a century and a half later, a fresh claim to independence was advanced by Archbishop John.[1]

CHAP. II.

A.D 676-678

682-683

707

862

(c) *Submission of Aquileia.*

The submission of Aquileia took place about the same time as that of Ravenna. Before the arms of the invaders in the fifth century, the patriarchs of Aquileia had withdrawn to the island of Grado.[2] There secure from the revolutions which were devastating Northern Italy, they had refused to acquiesce in the edict condemning the 'three chapters,' when the Roman bishop Vigilius had been more yielding, and continued, together with the Istrian bishops, out of communion with the See of Rome for more than a century. But the schism was at length healed by Sergius I., and before the close of the seventh century no independent archbishop at all survived in Italy.

A.D. 568

553

687-701

698

(d) *Germany.*

Thus one after another the Churches in all the

[1] MILM. iii. 171.

[2] GIES. ii. 129.

PART I.

vicariates of the Italian præfecture had passed from a position of equality to one of dependence on Rome, those of North Africa first; those of North Italy next; those of Western Illyria last. And even beyond the Italian præfecture Rome had made her ascendency felt in the Gallic præfecture. Spain had yielded freely; the attitude of Gaul was more doubtful; England was attached to Rome by ties of the warmest affection. Now through England, the spell of Roman superiority was brought to bear on a country which had never been included in the old Roman Empire. On this account the conduct of

A.D. 723

Boniface, the Apostle of Germany, is so important in its bearings on the subsequent growth of the Papacy.[1] Coming from England deeply imbued with veneration for the Church of Rome, Boniface made that veneration the basis on which he established the new Church in Germany. He had hardly been a year at work in Hesse and Thuringia, having baptised his two first converts, when he was summoned to Rome by Gregory I., and required to give an account of his faith. No hesitation seems to have been felt by Boniface in obeying the summons, nor yet in taking the oath, which Gregory administered to him at his consecration, which decided for centuries the thraldom of the German Church. At the tomb of St. Peter he was required to swear with the utmost solemnity an oath substantially the same as that taken by the Italian bishops belonging to the several archiepiscopal sees under the

[1] NEAND. v. 158; GIES. ii. 214.

jurisdiction of Rome. It ran :[1] 'To thee the first of the Apostles and to thy representative Gregory and his successors I promise, that with God's help I will abide in the unity of the Catholic faith, agreeing with nothing contrary to the unity of the Catholic Church, but in every way maintaining my faith pure, and constantly co-operating with thee and with thy Church, on which has been bestowed by God the power to bind and to loose, with thy representative aforesaid and with his successors. Whenever I find the conduct of the chief officers of the Church contradictory to the ancient ordinances and decrees of the Fathers, I will have no fellowship or connection with them, but will prevent it if I can, or if not, will report it faithfully to the Pope.' By that oath, which was henceforth regularly administered to all bishops as they were appointed to the new sees established by Boniface in Germany, was decided once and for ever the question whether a free Church

[1] 'In nomine Domini Dei et Salvatoris nostri Jesu Christi. 'Imperante domino Leone a Deo coronato magno Imperatore 'anno septimo post consulatum ejus, sed et Constantini magni 'Imperatoris ejus filio anno iv. indictione vi. : Promitto ego Boni-'facius, Dei gratia episcopus, tibi beato Petro Apostolorum prin-'cipi, Vicarioque tuo beato Gregorio Papae et successoribus ejus, 'per Patrem, et Filium, et Spiritum Sanctum, Trinitatem inseparabi-'lem, et hoc sacratissimum Corpus tuum: Me omnium fidem et 'puritatem sanctae fidei catholicae exhibere, et in unitate ejusdem 'fidei Deo operante persistere, in qua omnis Christianorum salus 'sine dubio esse comprobatur : Nullo modo me contra unitatem 'communis et universalis ecclesiae suadente quopiam consentire ; 'sed, ut dixi, fidem et puritatem meam atque concursum tibi et 'utilitatibus ecclesiae tuae, cui a Domino Deo potestas ligandi 'solvendique data est, et praedicto Vicario tuo, atque successori-'bus ejus per omnia exhibere : Sed et si cognovero, antistites 'contra instituta antiqua sanctorum patrum conversari, cum eis

PART I.

should be left to develope itself in Germany, or whether Germany should be incorporated in the old Roman hierarchical system; by it was laid the foundation of the ecclesiastical power of the Popes in Germany;[1] by it, however, Germany was brought under the influence of Roman civilisation, the effects of which will be fully seen in its subsequent history. Hitherto the Western Patriarchate had rested its claim to ecclesiastical dominion on the secular claims of the Empire; henceforth it substituted divine for imperial right. Hitherto the bounds of the Empire constituted its bounds; henceforth it aspired to be supreme over the world. Still its authority was ecclesiastical, and by no means absolute over its daughter Churches; still the possessors of that authority owned themselves subjects. Not till thirty years later, when new troubles, political and religious, had well-nigh threatened to annihilate it, does it emerge from these troubles to rise to political importance; not till a century later to obtain political independence.

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'nullam habere communionem aut conjunctionem; sed magis, si 'valuero prohibere, prohibeam; sin minus, fideliter statum Do- 'mino meo Apostolico renunciabo. Quod si, quod absit, contra 'hujus promissionis meae seriem aliquid facere quolibet modo, seu 'ingenio vel occasioni tentavero, reus inveniar in aeterno judicio, 'ultionem Ananiae et Sapphire incurram, qui vobis etiam de 'rebus propriis fraudem facere vel falsum dicere praesumserint. 'Hunc autem indiculum sacramenti ego Bonifacius exiguus epi- 'scopus manu propria scripsi, atque ponens supra sacratissimum 'corpus beati Petri, ita ut praescriptum est, Deo teste et judice, 'praestiti sacramentum quod et servare promitto.' See GIES. 'ii. 215; NEAND. v. 64.

[1] The Synod held by Boniface, an. 743, decreed amongst other things, 'subjectionem Romanae ecclesiae.' See LABBÉ, vii. 281.

# CHAPTER III.

## THE TRANSFER OF ALLEGIANCE.

(725–800.)

*Exaudiat te Dominus in die tribulationis: protegat te nomen Dei Jacob.*—
Ps. XIX. 2.[1]

CHAP. III.

A. *Causes of the transfer of allegiance.*

(1) *Dependence on Constantinople a hindrance to ecclesiastical power of Popes.*

*Gregory II.*

A.D. 715-731

THE eighth century opened upon Rome still dependent, but establishing herself as ecclesiastical mistress of the West; it closed after witnessing the bold step of a transfer of her allegiance from one sovereign to another. The first quarter of the century passed away in the completion of the first act. It saw the success of Gregory II., in imposing on Boniface and his successors in office an oath of allegiance. The second quarter began whilst Gregory II. was still Bishop of Rome and still intent upon advancing the interests of his Church.[2] Ten years of his eventful career had already passed away, during which the newly-established German Church had been incorporated in the Latin system; five years, not less eventful, were yet to come, during which another train of movements fraught with most important consequences for the Papacy would be set in

[1] Gregory's letter to Charles Martel. LABBÉ, viii. 206.

[2] For the life of Gregory II. see LABBÉ, viii. 159. In 725 he had been Pope ten years, and he continued to hold the Papacy till 731.

PART I.

motion. Gregory II. was Pope, but he was still the subject of the Eastern Empire; ecclesiastically he was all powerful, politically he was comparatively powerless. Though ruler of the religious destinies of the West, he received the commands of the Emperor of the East. To him the whole of Christian Europe looked up as patriarch, nay, as more than patriarch, as the successor and representative of St. Peter;[1] but successor of St. Peter though he was, he was nevertheless a subject of Cæsar, and that not of a Cæsar who would receive his godly admonitions as a dutiful son, but of one who would himself aspire to lay down the law for the Church. In a word, the ecclesiastical power of the Pope in Europe was constantly suffering shipwreck on the rock of his political dependence on the Emperor in the East. Under these circumstances it is not hard to understand how the tie connecting the Bishops of Rome to the emperors should seem a galling one, how it should be ignored as much as possible, and how, growing continually weaker, it should be liable at any moment to be altogether sundered, whenever it might chance to be exposed to a more than ordinary strain. It was not long before the time came for such exposure.

(2) *Iconoclasm of Emperor Leo III.*

The Emperor Leo III. was a native of Isauria,[2] of obscure birth, a valorous and able soldier, possessed of military and administrative talents, and of sterling worth, but rude and unrefined in mind,

[1] See ch. vi.

[2] See MILMAN'S *Latin Christianity*, book iv. ch. vii. (vol. ii. p. 339, small edition).

(a) *Iconoclastic edicts.*

unable to appreciate art and loving a plain unadorned worship. To his practical mind the sentimental ecstasies of the Eastern monks seemed distasteful; the respect paid to images and pictures seemed superstitious; the mental attitude of those who could not enkindle in themselves reverential feelings without the help of material representations, seemed idolatrous. Images did not seem to him merely the result of a low spiritual apprehension, or of an incapacity for the ideal, but they seemed positively sinful. Their use was not indeed one which had commended itself to the first simple adherents of Christianity, but it was an instrument necessary perhaps to influence a morally corrupt and intellectually enfeebled people. Coming as he did fresh from his Isaurian hills, was Leo incapable of understanding this fact? Or did he simply fail to observe the sad condition of the Empire? Perhaps either, perhaps both. But certain it is that he had not been more than ten years on the throne (during which time he had only twice rescued the Empire from falling into the hands of the formidable Saracens, and with the exception of persecuting the Jews had otherwise meddled little with religion), when Christendom was suddenly astonished by the appearance of an edict interdicting all *worship of images*—so the edict ran —and proscribing as idolatrous all statues and pictures which represented the Saviour, the Virgin, and the Saints.[1] A.D. 726

The excitement caused by the publication of this

[1] MILMAN, ii. 352.

PART I.

edict was intense. Learned and unlearned alike, priest and peasant, monk and soldier, clergy and laity, men and women, even children, all were involved in the strife. A clean sweep was at once made of all religious attachments. The devout felt their feelings outraged; the careless and indifferent exulted. Terrible prodigies were witnessed in the heaven, and phenomena no less strange occurred on earth.[1] Nor was the excitement lessened when a second edict appeared, drawn up in terms still more stringent, and besides commanding the total destruction of all images, ordering the whitewashing of the walls of the Churches. Scenes of rebellion and bloodshed were the result; in Constantinople open resistance was offered to the execution of the edict; in Greece and the Aegean islands a formidable insurrection broke out. The monks were loud in denouncing the enactment, the clergy unanimous in condemning Leo; even the rival patriarchs of old and new Rome, Gregory II. and Germanus, united in defending the images against the imperial commands.

*(b) Italy in a state of rebellion.*

In Italy the feeling was particularly bitter. Absence from Rome had lessened the respect felt for the imperial name; and the emperor's deputies, the exarchs of Ravenna, had gained for themselves only a reputation for severity. To the emperor himself, Gregory II. now addressed a letter of remon-

729 strance:[2] 'For ten years you have paid no attention

[1] An alarming volcanic eruption in the Aegean. See MILMAN, ii. 354.

[2] This letter is to be found in Greek and Latin in the praeambulares to *Concil. Nicen II.* an. 787; LABBÉ, viii. 652 *seq.*

to the images you now denounce as idols, and whose total destruction and abolition you command. Not the faithful only, but infidels are scandalised at your impiety. Christ has condemned those who offend one of His little ones; you fear not to offend the whole world. You say that God has forbidden the worship of things made with hands. Who worships them? . . . The Scripture, the Fathers, the Councils you treat with equal contempt. . . . Go into a school where children are learning their letters, and proclaim yourself a destroyer of images. You will receive their tablets thrown at your head . . . . You boast that you are a second Hezekiah, after 800 years, casting out the idols from the Churches as he did the brazen serpent from the temple. And truly Hezekiah was your brother, self-willed as you, and like you daring to offer violence to the priests of God. . . . With the power given me by St. Peter, I could inflict punishment, but I leave you to endure the curse you have heaped on yourself.' It was followed by a second letter, though how soon after it is impossible to determine:[1] 'You persecute and afflict us with the arm of flesh; we unarmed and defenceless can but send a devil to humble you. . . . Images have been borne by bishops to Councils; no religious man goes on a pilgrimage without an image . . . . Write to all the world that we are in error concerning images; cast the blame on us, who have received from God the power to bind and to loose.' The Italians proposed to elect a new emperor and

[1] This letter in Greek and Latin in LABBÉ, viii. 668 *seq.*

PART I.

to conduct him to Constantinople.[1] But Gregory withstood the proposal, suggesting hope for the conversion of Leo. He alone exhorted to fidelity, whilst they proposed to sever the bond connecting them with the East. But the rebellion was not to be accomplished yet. The circumstances which ultimately separated the Popes and the emperors remain still to be told.

(3) *The Lombards.*

(*a*) *Their settlement in Italy.*

A.D. 568

Not a century and a half before the outbreak of the Iconoclastic controversy the Lombards had first made their appearance in Italy under the leadership of Alboin,[2] summoned, it was believed, by Narses across the Alps as instruments of vengeance, because this province had appealed to Constantinople against his oppressive rule. Unlike the Goths, who had been partially civilised before their arrival in Italy, the bold and unscrupulous Lombards, without awe or reverence for religion, depopulated cities, burned churches, and destroyed monasteries in their progress promiscuously, everywhere diffusing the wildest terror, and regarded as the harbingers of the coming day of judgment. The hatred of the Romans for the Lombards was intense, greater even than their hatred for the Iconoclasts. They had

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[1] ANASTASIUS in *Vit.* xc. Gregor. II.: 'Cognita vero Imperatoris nequitia, omnis Italia consilium iniit, ut sibi eligerent Imperatorem, et Constantinopolim ducerent. Sed compescuit tale consilium Pontifex, sperans conversionem Principis,—blando omnes sermone, ut bonis in Deum proficerent actibus et in fide persisterent, rogabat. Sed ne desisterent ab amore vel fide Romani Imperii, admonebat.'

[2] MILMAN'S *Latin Christianity*, book iii. vol. ii. ch. vii. pp. 97, 132 (small edition).

advanced from the North to the South, and they had established the two powerful dukedoms of Benevento and Spoleto.[1] In the time of Gregory I. they had besieged Rome. Gregory had defended it, and by his friendly correspondence their queen Theodelinde had been won from Arianism to Catholicism.[2]

A.D. 735

599

In the time of John VI., the Duke of Benevento had made a predatory incursion into Campania ;[3] and at the moment when the Iconoclastic controversy broke out the Lombards had established, besides the two dukedoms in the South, a settled kingdom in the district, thence called Lombardy,[4] presided over by a king[5] eager for aggrandisement, and only on the look out for a favourable opportunity in order to include Rome and the exarchate in his dominions.

701–705

*(b) Overthrow of the exarchate.*

That opportunity seemed now to have arrived. On the publication of the Iconoclastic edict at Ravenna the people broke out in insurrection, and declared their determination to renounce their allegiance with the Empire rather than to permit their churches to be despoiled of their ornaments. They attacked the soldiers, and maintained a desperate conflict for the mastery of the city. The exarch was assailed by disaffection within. At this moment the Lombards appeared without the walls with

A.D. 727

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[1] The Greek dominions in Italy were confined (1) to the Exarchate of Ravenna, (2) the Duchy of Rome and Naples, (3) the cities on the coast of Liguria, and (4) the extreme provinces of Lower Italy. See GIES. ii. 130.

[2] An. 599 ; MILMAN, ii. 135, 137.

[3] MILMAN, ii. 336.

[4] *Ibid.* 417.

[5] Liutprand, who reigned 713–743 A.D.

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Liutprand at their head, announcing themselves devout worshippers of images. The populace was won; Ravenna surrendered; the troops of Liutprand spread without resistance over the Pentapolis.

The days of the exarchate seemed about to be numbered. Constantinople's hold upon Italy seemed to be gone, and gone for ever. But it was not so. The exarchate did not pass away without making one more spasmodic gasp for life. The Byzantine troops, combining with the maritime forces of Venice, succeeded in retaking Ravenna, and for several years that city continued to be the residence of an imperial officer.[1] The last exarch, Eutychius, contrived to maintain his perilous position for twenty years, temporising between the Pope, the Lombards, and the Franks; and when he was at length compelled to abandon his office and to take refuge in Naples, the exarchate, after having existed for 200 years, ever since the overthrow of the Ostrogothic kingdom by Belisar and Narses, was finally at an end. The Lombards in the North were the only power left which could aspire to the political sovereignty of Italy,—barbarians, cruel and insatiable,[2] whose dominion the Popes could least of all submit to endure. Never with all their largesses to the Church could the Lombards eradicate this

A.D. 554-752

[1] MILMAN, ii. 418.

[2] In proof of their barbarity, the well-known story of Alboin's death and that of his adulterous queen, Rosmunda, the cup made out of her father's skull with which Alboin pledged her at a public banquet, her revenge, and her own murder by her guilty paramour, may be referred to. See MILMAN, ii. 132.

repugnance; and however devotedly they might act, there prevailed from first to last between them and the Italian clergy an implacable animosity. By the Italians of the eighth century they were regarded with nearly the same kind of horror with which the Turks were regarded in Europe in the sixteenth century; even when apparent amity existed, no terms can be found too strong to express the general detestation in which they were held.

*(c) Unwillingness of Popes to submit to Lombards.*

Whilst the power of the exarchate had declined, and that of the Lombards was steadily increasing,[1] the prospect must have loomed before the Popes, either of having to submit to the rule of the barbarians or of establishing an independent political sovereignty themselves, which should take the place of the defunct exarchate. The latter alternative would naturally commend itself to them most. But how with neighbours like the Lombards, bent on obtaining the sovereignty over the whole of Italy, was it possible to succeed without external support? From the Eastern Emperors no help could be expected. They were themselves harassed with the attacks of the Saracens, and had been unable to save the exarchate. The Normans were as yet hardly known; it was not till near the close of the Papacy of Gregory III. that they first seized the Duchy of Spoleto; and besides, they were cruel barbarians, worse even than the Lombards. In this distress the

A.D. 740

[1] Almost all pretension to power except over Sicily and Calabria expired with the death of the Emperor Leo III., in 741 A.D. MILMAN, ii. 368.

PART I. — A.D. 731–741

gaze of Gregory III.[1] was directed beyond the Alps to a Catholic chief, who had just achieved a signal deliverance for Christendom on the field of Tours 732 and Poitiers, who had done in France what the emperors were unable to do in the East, and who therefore might be expected to be able to deal with the Lombards in the same way that he had already dealt with the Saracens.

B. *Appeal of the Latin patriarchs to the West.*

(1) *Appeal of Gregory III.* 731–741

From the East, powerless to render help, from an Empire crumbling away beneath the weight of its own greatness, Gregory III. therefore turned away, and fixed his gaze on the youthful greatness of a transalpine nation, the Franks—brave, adventurous, full of promise, successful in warfare, and destined to rise to future power. With Charles Martel, mayor of the palace, and virtual ruler of the Frankish realm, Gregory II.[2] had already opened communications. 739 To Charles Martel, his successor, Gregory III. again appealed, when, after eight years of doubtful peace, he suddenly found himself involved in an open war with the Lombards.[3] His appeal is truly 740 touching :[4] 'his tears are falling night and day for the

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[1] Gregory III. was Pope from 731 to 741. He succeeded Gregory II. and was in turn succeeded by Zachary, 741 to 752. For the life of Gregory III., see LABBÉ, viii. 195 *seq.* ; for that of Zachary, *Ibid.* 219.

[2] MILMAN, ii. 428.

[3] *Ibid.* 429.

[4] LABBÉ, viii. 205. The letter begins : 'Nimia fluctuamus tribulatione, et lacrymae die noctuque ab oculis nostris non deficiunt, quando conspicimus quotidie et undique ecclesiam sanctam Dei, a suis, in quibus spes erat vindicandi, destitui filiis. 'Propterea coarctati dolore in gemitu et luctu consistimus, dum 'cernimus id quod modicum remanserat praeterito anno pro sub-

destitute state of the Church; the Lombard king and his son are ravaging the last remains of the property of the Church, which no longer suffices for the sustenance of the poor, or to provide lights for the daily service; they have invaded the territory of Rome and seized all his farms; his only hope is in the timely succour of the Frankish king.' The appeal was rendered still stronger by the presents that accompanied it—the mystic keys of the sepulchre of St. Peter, and filings of his chains, which no Christian could resist. The title of Patrician and Consul of Rome was offered; and Gregory, as might be expected after such presents, received a courteous answer and an embassy was despatched to the imperial city. CHAP. III.

It is impossible to say what might have been the result of the negotiations between the Pope and the ambassadors, had they been continued. They were, however, interrupted by the death of both the potentates; of Charles Martel in October, of Gregory III. in November of the very same year. Nevertheless, these negotiations were the prelude to Oct. 21 741 Nov. 27, 741

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'sidio et alimento pauperum Christi, seu luminarium concinna-
'tione, in partibus Ravennatum, nunc gladio et igne cuncta con-
'sumi a Liutprando et Hilprando regibus Longobardorum. . . .
'Sed hortamur tuam bonitatem coram Domino, et ejus terribili
'judicio, Christianissimi fili, ut propter Deum et animae tuae
'salutem subvenias ecclesiae sancti Petri, et ejus peculiari populo,
'eosdemque reges sub nimia celeritate refutes, et a nobis repellas,
'et jubeas eos ad propria reverti. . . . Conjuro te per Deum
'vivum et verum, et per ipsas sacratissimas claves confessionis
'beati Petri, quas vobis ad signum direximus, ut non praeponas
'amicitiam Longobardorum amori principis apostolorum.'

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subsequent negotiations, which Pepin the Short, the son of Charles Martel, carried on with Pope Zachary, the successor of Gregory III., and this time the negotiations led to most important results.

(2) *Zachary and the first donation.*

A.D. 741–752

(*a*) *Rome an independent dukedom.*

At the election of Zachary, the customary form of obtaining the consent of the exarch was discarded, and discarded to be never afterwards revived. Henceforth, the Popes may be considered as independent of the Eastern Empire; henceforth begins their connection with the West; henceforth they hold no longer an exclusively ecclesiastical position, but the Papacy has become a political dukedom. After the sixth General Council, they had claimed the title of Universal Priest,[1] and vindicated that claim by soon afterwards reducing to submission the last of the great archbishops of the West.[2] After the appeal to Charles Martel and the independent election of Zachary, they aspire to political sovereignty.[3]

With the Lombards in arms against him, the cities belonging to the Roman territory in the possession of an enemy, a great part of his Church's estates wrested from him,[4] and ecclesiastical provinces,

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[1] *Concil.* Const. III. an. 680, calls Pope Agatho, *Universalis Papa*, LABBÉ, vii. 614; *Universalis Patriarcha*, LABBÉ, vii. 619.

[2] Sergius I. healed the schism of Istria, an. 698. See LABBÉ, vii. 103; GIES. ii. 129. See chap. ii. p. 41.

[3] Rome was subject to the Eastern emperors until 741. Perhaps nominally as long as the exarchate continued. From 752, or rather from 742, when it preserved its lands from the Lombards until 800, it was an independent dukedom. In 800 it became part of the Western Empire.

[4] The Roman patrimonies in Sicily and Calabria had been

hitherto subject to his oversight, transferred to the patriarchate of the younger Rome,[1] the position of the newly elected Pope seemed most forlorn; nor was his position as head of a dukedom independent, indeed, in fact, but still observing the forms of dependence on the moribund exarchate quite equivalent to that of a sovereign undisguised and avowed. This avowed independence was now secured by the boldness of Zachary. Surrounded by his court of bishops, and relying on his own priestly character, Zachary set forth from Rome to visit the Lombard king, Liutprand, at Ferni. The scene of the interview was a church, the sanctity of which was likely to infuse a deeper awe into the mind of Liutprand. There, as Zachary discoursed on the vanity of earthly grandeur, and on the strict and perhaps speedy account which all would soon have to render to God for the blood which they had shed in war, and threatened the monarch with eternal damnation if he delayed to surrender the four cities, Liutprand quailed before the Pope. He owned himself in the wrong; he restored the cities. Moreover, the estates of the Church in the Sabine territory, Narni, Osimo, and Ancona, and towns in the district of Sutri, he gave back also; and after

confiscated at the time of the Iconoclastic controversy, 729 A.D.

[1] Hadrian I. in his Epistol. ad Carol. de Imaginibus, after the second Nicene Council, an. 787—LABBÉ, viii. 1598 (MANSI, xiii. 808) ad fin. speaks of dioceses: 'Archiepiscoporum quam et 'episcoporum sanctae catholicae et apostolicae Romanae ecclesiae, 'quae tunc cum patrimoniis nostris abstulerunt, quando sacras 'imagines deposuerunt.'

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releasing all his Roman prisoners, concluded a treaty of peace for twenty years with the Dukedom of Rome. In that treaty the independence of Rome was acknowledged, nor was the exarchate able to dispute the acknowledgment, since it expired itself only a few years later. No doubt the memory of these estates and possessions belonging to the See long before the appearance of the Franks in Italy, and restored to it by Liutprand, gave rise to that fiction of a 'Donation' by Constantine, embodied in the forged decretals, telling how Constantine, cured of his leprosy by the prayers of the Roman bishop Sylvester, resolved to forsake the ancient capital, lest the secular government should cramp the freedom of the spiritual, and how he then bestowed upon the Pope, and his successors, the sovereignty of the whole of Italy, or of the countries of the West. In as far as that document aimed at proving the possession of property by the Popes before the arrival of the Franks in Italy, it was substantially correct; in as far as it was intended to throw the sanction of antiquity over a position recently acquired, it was an ignorant blunder and a falsehood—a falsehood, however, which, let it be borne in mind, faithfully reflects the thoughts and feelings of the age which gave it birth.[1]

[1] Hadrian I. writing to Charles, 777, refers to such a grant. Ep. i. in LABBÉ, viii. 526. His words are: 'Et sicut temporibus 'beati Silvestri Romani Pontificis, a sanctae recordationis piissimo 'Constantino Magno imperatore, per ejus largitatem sancta Dei 'catholica et apostolica Romana ecclesia elevata atque exaltata

CHAP. III.

(b) *Boniface papal legate among the Franks.*

A.D. 743

Whilst the feeble exarchate still continued to exist, struggling with dying throes against the victorious Lombards, and requiring the interposition of the sacred character of the Pope to protect it from absolute destruction, Zachary was drawing closer to the Franks by appointing Boniface as his legate for

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'est, et potestatem in his Hesperiae partibus largiri dignatus est; 'ita et in his vestris felicissimis temporibus atque nostris sancta 'Dei ecclesia, id est beati Petri apostoli permaneat. . . . Quia 'ecce novus Christianissimus Dei Constantinus imperator his tem-'poribus surrexit, per quem omnia Deus sanctae suae ecclesiae 'beatorum apostolorum principis Petri largiri dignatus est. Sed 'et cuncta alia, quae per diversos imperatores, patricios etiam, et 'alios Deum timentes, pro eorum animae mercede, et venia delic-'torum, in partibus Tusciae, Spoleto, seu Benevento, atque Corsica 'simul et Sabinensi patrimonio, beato Petro apostolo, sanctaeque 'Dei et apostolicae Romanae ecclesiae concessa sunt, et per 'nefandam gentem Longobardorum per annorum spatia abstracta 'atque ablata sunt, vestris temporibus restituantur.'

The grant itself is to be found in the *Pseudoisidorian Decretals* entitled Edictum domini Constantini Imp., and extracts from it in *Decret. Gratiani Dist.* xcvi. c. xiii. The following extracts are given by Gies. ii. 337 [Constantine says]: 'Et sicut nostram ter-'renam imperialem potentiam, sic ejus [Petri] sacrosanctam Ro-'manam ecclesiam decrevimus veneranter honorari, et amplius 'quam nostrum imperium terrenumque thronum, sedem sacra-'tissimam beati Petri gloriose exaltari: tribuentes ei potestatem 'et gloriae dignitatem, atque vigorem et honorificentiam imperia-'lem.' Therefore he gives him palatium Lateranense and all imperial insignia: 'Unde ut pontificalis apex non vilescat, sed 'magis quam imperii dignitas, gloria et potentia decoretur, ecce 'tam palatium nostrum, ut praedictum est, quam Romanam urbem, 'et omnes Italiae, seu occidentalium regionum provincias, loca et 'civitates praefato beatissimo Pontifici nostro Sylvestro, universali 'Papae, contradimus atque relinquimus; et ab eo et a successori-'bus ejus per hanc divalem nostram et pragmaticum constitutum 'decernimus disponenda, atque juri sanctae Romanae ecclesiae 'concedimus permansura. Unde congruum perspeximus nostrum

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A.D. 743

the somewhat difficult task of restoring order to the Frankish Church.[1] That Church, owing to the greatness of its wealth and the wordliness of its clergy, had been distracted by a struggle of its ecclesiastical rulers for political power in the days of

c. 666

Ebroin and Leodegar.[2] Since the vigorous administration of Pepin of Heristhal and Charles Martel, however, France had ceased to be under clerical rule, and her bishops were excluded from the great offices of state. Instead, however, of being thereby induced to devote themselves to their spiritual functions, the clergy now gave themselves up all the more to worldliness and vice, to drunkenness, licentiousness, and promiscuous concubinage; and in return it was not uncommon for the laity to rob the churches. Charles Martel had even distributed ecclesiastical revenues and offices in usufruct to valiant soldiers. Such was the state of anarchy when Carloman and Pepin, the sons of Charles Martel, invited Boniface to interpose to restore order. Boniface readily consented. The reforms which he introduced may be gathered from his letters to Archbishop Cuthbert.[3]

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' imperium, et regni potestatem in orientalibus transferri regionibus, ' et in Byzantinae provinciae optimo loco, nomini nostro civitatem ' aedificari, et nostrum illic constitui imperium; quoniam ubi ' principatus sacerdotum, et Christianae religionis caput ab Im- ' peratore coelesti constitutum est, justum non est, ut illic Im- ' perator terrenus habeat potestatem.'

[1] Zachariae Epist. i. 1, ad Bonifacium, LABBÉ, viii. 231; Epistol. xi. ad Episcopos Galliae et Germaniae, LABBÉ, viii. 257.

[2] See MILMAN, book iv. ch. x.; vol. ii. p. 434 (small edition).

[3] *Concil.* an. 743, LABBÉ, viii. 281: '(1) Decrevimus et con- ' fessi sumus fidem catholicam, etc. (2) Statuimus ut per annos

The Church in Gaul was brought into new terms of intimacy with Rome, and the pallium conferred on three of her bishops.[1]

(c) *Deposition of Childeric III.*

Thus was the way prepared for that signal revolution, pregnant with far-reaching consequences for both Church and State in Europe, which noiselessly took place at Soissons in the year 752, in which Zachary and Pepin were the actors, and whereby the successors of St. Peter gained an ascendency over the Teutonic sovereigns. Yet it was from no motives of servile dependence that Pepin sent two ecclesiastics to Rome, and there proposed to Zachary the question, whether it was better for one who possessed the power to rule, or for one who merely possessed the name. On the contrary, Pepin's conduct appears simply to have been the result of political forecast. He was no doubt anxious to lay the conscientious scruples of the Franks, ever the firmest adherents of their old reigning house,[2] by obtaining the sanction of some external authority for what was undoubtedly a revolution. And to what external authority could he so well apply as to the highest representative of religion? Besides, he needed the approval of the Church before he could invite the Franks to commit an act of perjury—an act which

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'singulos canonum decreta et ecclesiae jura . . . in Synodo le-
'gantur. (4) Venationes et silvaticas vagationes cum canibus, et
'ne accipitres et falcones habeant, prohibuimus. (6) Statuimus
'ut singulis annis unusquisque episcopus parochiam suam cir-
'cumeat. (7) Interdiximus servis Dei, ne pompato habitu, vel
'sagis vel armis utantur.'

[1] Epist. Zachariae ad Bonifac. iv. LABBÉ, viii. 237.

[2] See GIES. ii. 225.

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might otherwise render all succeeding oaths of allegiance insecure, and imperil for his family the throne he was securing for himself.

The answer which his ambassadors brought back from Rome was favourable. The late reforms in the Frankish Church conducted by Boniface under the auspices of Zachary, had prejudiced the Pope in favour of Pepin, and prejudiced the Franks in favour of the Pope's spiritual authority. Pepin was elected king at Soissons, according to the old usage, with the acclamation of the nobles and people, amid the clash of arms; then elevated on the buckler, whilst bishops and nobles stood around his throne; and Boniface, now Archbishop of Mentz, administered to the newly-elected king the solemn rite of anointing with oil—a ceremony two years later repeated by the Pope in person, when Zachary's successor visited Pepin. One individual alone appeared to suffer by the change—the deposed Merovingian king, Childeric III. With long hair and flowing beard, without domain, without revenues, he had passed a life of dignified but apathetic quiescence, seated on a throne, in mock ceremony receiving ambassadors or giving the answers put in his mouth. Once only in the course of the year had he been brought forth from seclusion, to be conveyed in a slowly-moving car through the ranks of his wondering subjects. Then he had returned again to the seclusion of his palace. Could to him the change from the seclusion of the palace to the quiet of the monastery be an appreciable one, except in as far as it spared him the mockery and fatigue of a public exhibition? Could

A.D. March, 752

CHAP. III.

there be any great crime in relieving him from duties which another invariably discharged and for which he was wholly unequal? In the quiet of the monastery Childeric III. died, last of the royal House of Meroveus, whilst the usurper of his throne reigned in his stead. The Church had given her sanction to the usurpation. Things had indeed changed since the time of Clovis![1]

(3) *Stephen II.* A.D. 752–757 *and the second donation.*

Meanitime the Papacy had also changed hands. Fresh clouds had darkened the Italian horizon. The Lombard king, Astolf,[2] had entered the exarchate, seized Ravenna, and threatened Rome. He had concluded a treaty with Pope Stephen II.;[3] then he was again in arms, this time demanding the instant submission of the city, burning the villas and suburbs, plundering the churches, violating nuns, tearing infants from their mothers' breasts, polluting the

(a) *Sufferings of Rome.*

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[1] See MILMAN, book iv. ch. xi.; vol. iii. p. 9 (small edition). It is a remarkable fact that in one and the same year the last hold of the Eastern Empire in Europe expired—the exarchate of Ravenna—and the last of the Merovingians was deposed. The new king, Pepin, had thus an open field before him. He succeeded at once to the kingdom of the Franks, and to the position formerly held by the exarchs.

Those who love to trace parallels may also be struck with that between the beginning and the end of the Holy Roman Empire. The foundations of that Empire were substantially laid by Pepin in the year 752 A.D. After existing a thousand years they were substantially undermined by Frederick the Great of Prussia in the seven years' war, 1756–63. The Empire itself was not officially inaugurated until the year 800 A.D. Nor was it officially abolished until a thousand years later, an. 1806 A.D.

[2] GIES. ii. 226.

[3] Stephen II. was Pope from 752 to 757 A.D. He succeeded Zacharias and was followed by Paul I. For the life of Stephen, see LABBÉ, viii. 367.

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mothers, digging up the bodies of the saints, and carrying them off as tutelar deities to Lombardy. In vain the new pontiff, Stephen II., appealed to Constantinople for help.[1] Even his visit to Pepin was not to much purpose. Pepin, it is true, crossed the Alps after he had been again anointed, and defeated Astolf at Pavia; but he had no sooner withdrawn his forces beyond the Alps, than Astolf marched with his whole army upon Rome, and encamped before the Salarian gate.[2]

A.D. 754

Truly deplorable was then the condition of the city which had once ruled the world. Theoretically a part of the Eastern Empire, really an independent Republic; refusing to acknowledge an iconoclastic emperor, and yet appealing to him for help; breaking away from her connection with the East, and not yet fully connected with the West; unable to defend herself, and yet sorely needing defence; with Lombards encamped beneath her walls, she stood tottering on the verge of ruin. The crisis of her troubles had come, and it was impossible to foretell its issue. Would her independence be swept away, her territory be merged in the Lombard kingdom, and the Roman patriarchs be relegated to strictly ecclesias-

[1] ANASTASIUS, *Vit.* xciv. Stephani II.: 'Cernens ab imperiali 'potentia nullum esse subveniendi auxilium, tunc quemadmodum 'praedecessores ejus, beatae memoriae domnus Gregorius, et Gre- 'gorius alius, et domnus Zacharias, beatissimi Pontifices, Carolo, 'excellentissimae memoriae, Regi Francorum, direxerunt, petentes 'sibi subveniri propter oppressiones ac invasiones, quas et ipsi in 'hac Romanorum provincia a nefanda Longobardorum gente 'perpessi sunt.'

[2] NEAND. v. 159.

tical duties? Or would some unforeseen circumstance come to her aid, and replace her in possession of these territories which she was on the point of losing? Letter followed letter[1] in quick succession, addressed by Stephen II. to Pepin, reminding him of the eternal condemnation he hazarded if he did not complete the donation he had vowed to St. Peter, and conjuring him by God and His Holy Mother, by the angels of Heaven, by the apostles St. Peter and St. Paul, and by the Last Day, to come to the rescue of that suffering Pope. Not till a letter arrived purporting to come from St. Peter himself,[2]

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[1] The first letter, Epist. i. LABBÉ, viii. 378, is a letter of thanks for Pepin's promised assistance. The second letter, Epist. iii. LABBÉ, viii. 381, is stronger. Amongst other things he says: 'Sciatis enim, quia sicut chirographum vestram donationem prin-'ceps apostolorum firmiter tenet, et necesse est ut ipsum chiro-'graphum expleatis: ne dum justus Judex ad judicandum vivos 'et mortuos, et saeculum per ignem advenerit, in futuro judicio 'idem princeps apostolorum idem chirographum demonstrans 'nullam habere firmitatem, districtas faciatis cum eo rationes.' The third, Epist. iv., LABBÉ, viii. 382, is the strongest. It begins: 'Quanta luctuosa et amarissima tristitia circumvallati, quantaque 'anxietate atque angustia coarctati simus, et quantas, crebrescen-'tibus continuis malis, oculi nostri distillantes profundant lacry-'mas, credimus quod et ipsa omnium elementarum figmenta enar-'rent. Quis enim harum tribulationum conspector non lugeat?'

[2] The letter, Epist. v. LABBÉ, viii. 386, is addressed ad Francos: 'Ego Petrus apostolus, dum a Christo Dei vivi filio vocatus sum 'supernae clementiae arbitrio, illuminator ab ejus potentia totius 'mundi sum praeordinatus. . . . Quamobrem omnes qui audien-'tes impleverunt praedicationem, profecto credant sua in hoc 'mundo Dei praeceptione relaxari peccata, et mundi atque sine 'macula in illam progredientur vitam. . . .

'Ideoque ego apostolus Dei Petrus, qui vos adoptivos habeo 'filios, ad defendendum de manibus adversariorum hanc Romanam

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offering heaven to his friends, and denouncing hell on his enemies, did Pepin respond to the summons, and suddenly crossing the Alps, swoop down upon the Lombards. Besieged in Pavia, Astolf readily acceded to the demands of Pepin; and in a formal assembly at which the Eastern ambassadors were present, vainly asserting the claims of Byzantium, the district once forming the Exarchate in North Italy, and which included Ravenna, Rimini, Pesaro, Fano, Cesena, and other towns, was ceded to the Roman Church,[1] even Narni being severed from the dukedom of Spoleto. To crown the whole, the deed of gift commemorating the donation was ordered to be placed on the tomb of St. Peter. In return for this substantial help, the title of Patrician was bestowed on Pepin by the Pope. Pepin received it with modesty, declaring that his sole object in coming was to show his vene-

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'civitatem et populum mihi a Deo commissum . . . adhortor, et 'ad liberandam ecclesiam Dei . . . a pessima Longobardorum 'gente. . . .

'Conjuro vos (ut praefatum est) dilectissimi, per Deum vivum, 'et omnino protestor, minime permittatis hanc meam civitatem 'Romanam et in ea habitantem populum amplius a gente Longo-'bardorum laniari, ne lanientur et crucientur corpora et animae 'vestrae in aeterno atque inextinguibili igni Tartareo cum diabolo, 'et ejus pestiferis angelis. . . .'

A similar instance of the direct interposition of St. Peter is that related by Bede, *Hist. Eccl.* ii. 6, when Archbishop Laurentius was scourged by the apostle. If Stephen II. could perpetrate such a forgery, we need not wonder that Hadrian I., writing to Charles in 777, should speak of Constantine's donation as an undoubted fact, nor that in 843, the acceptance of the False Decretals should be possible.

[1] Milman, iii. 25; Gies. ii. 227; Neand. v. 159.

CHAP. III.

ration for St. Peter, by discharging duties which the Eastern Empire had failed to fulfil. He in turn nominated the Pope Patrician of the Exarchate. A.D. 755 Both parties were satisfied with the result, and thus Rome was, for the second time, by the help of a foreign potentate, an independent republic, with a large part of Italy annexed to her bishopric.

(4) *Hadrian I.* 772–795 *and the third donation.*

Still troubles continued to beset the See under the succeeding Popes, Paul I.,[1] Constantine II.,[2] and Stephen III.;[3] but with Pepin for its defender and protector, and the Lombards weakened by internal disunion, the Papacy was comparatively secure. The Dukes of Spoleto and Benevento broke away from connection with the King of Pavia. Nevertheless, in the Papacy of Paul I., Desiderius threatened Rome. On the death of Paul, the Duke of Nepi elevated Constantine by violence to the Pontificate: his successor, Stephen III., took cruel vengeance on the usurper. But the most eventful years are those which fall in the administration of Hadrian I.,[4] when Charles had succeeded his father Pepin on the throne of the Franks.

Again the Lombards are the aggressors; again the Frankish king is the defender; again he crosses

[1] Paul I. was Pope from 757 to 767 A.D. For his life, see LABBÉ, viii. 427.

[2] The claim of Constantine to be considered a Pope is denied by some writers. He only held the dignity for one year.

[3] Stephen III. was Pope from 768 to 772 A.D. His life in LABBÉ, viii. 468.

[4] Hadrian I. was Pope from 772 to 795 A.D. He followed Stephen III. and was succeeded by Leo III. His life in LABBÉ, viii. 491. Charles became king of the Franks 768. He was crowned as emperor 800, and died 814 A.D.

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the Alps at the summons of the Pope; again a donation is made to the successor of St. Peter. But turning from the bare outline of facts to the motives influencing the conduct of all the parties concerned, a sad picture of depravity, corruption, and personal selfishness comes to view. The act[1] which first drew down upon Hadrian the enmity of Desiderius, was not an act of justice or mercy; it was the betrayal of the fatherless children of Carloman, the suppression of justice for the sake of furthering his own interests. The motive which induced Charles so readily to respond to the call of Hadrian, and crossing the Alps to carry on a war of extermination against the Lombards, was not zeal to serve the Pope, but a desire to incorporate the Lombards in the kingdom of the Franks, and to deprive the children of his brother Carloman of their undoubted rights. The times were no doubt lawless times. Both Franks and Lombards were rude and barbarous. The personal ambition which aimed at concentrating large kingdoms in the hands of one person was most useful in advancing civilisation; but the personal character of those who indulged their ambition appears low when referred to any ab-

[1] Charles had seized the whole kingdom on the death of his brother Carloman, to the detriment of the children of Carloman. The dispossessed children took refuge at the court of the Lombard king, Desiderius, and Desiderius tried to move the Pope to recognise their claims. But Hadrian was too sagacious to make an enemy of the Frankish king, and to listen to a Lombard. He refused and was in consequence attacked by the Lombards. See MILMAN, iii. 41.

solute standard. Possibly in the age to which they belonged it appeared otherwise. The play, therefore, of lower motives, which is so obvious in the transactions between Hadrian I. and Charles, need not draw forth the reprobation which such motives would deserve in a more advanced age. For, notwithstanding the lowness of the motives, there is a heroism about the conduct of Charles which proves that his faults were the faults of the age, his greatness the greatness of a master mind. There is a generosity and frankness about the way in which, after defeating the Lombards, he attended all the ceremonies of the Holy Season at Rome, and then ratified the donation of his father Pepin, by ceding A.D. 776 to the Pope the Exarchate and the Pentapolis, territories which were his by right of conquest, even offering the diploma which contained the solemn gift upon the altar of St. Peter's. There is a magnanimity too about his subsequent conduct—his coming 780 to Rome to celebrate the baptism of his younger son, for whom he destined the kingdom of Italy, his second visit to Rome as protector at the bidding of 781 the Pope, his granting the dukedom of Benevento to the Lombard Grimoald—which raises him far above the level of a mere ambitious schemer, and contrasts with the character of Hadrian, the latter, until the time of his death, being haunted by a morbid hatred of his foes the Lombards.

For the third time, now, by the gift of Charles, the See of Rome was endowed with territorial possessions. Estates it already possessed in the time of Gregory the Great; the independent tenure of these

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A.D. 742 estates had been first secured to it in the time of Pope Zachary, and had given rise to the fiction of a first donation by Constantine. A second donation
755 had been made by Pepin of the Exarchate and Pentapolis; and to these two preceding donations
774 was now added by the generosity of Charles a third. By these three donations, the Bishop of Rome was, however, placed on a level with civil princes, just as, by the submission of the great metropolitans, he had already become an ecclesiastical monarch. He was no longer simply Patriarch, not even Patriarch of the whole West: he was Pope, and Pope in a political as well as an ecclesiastical sense. And yet as he reviewed his position at the head of an independent republic in Italy, as he beheld the unsettled state of Italy, and felt what a strong hand was needed to govern his newly-acquired possessions, Hadrian I. may well have had gloomy misgivings as to the future. Would he be able to keep what he had got? Would he be able to dispense with foreign support? Many a wistful glance he may have turned towards his protector beyond the Alps, and oft have bethought him by what means the ties which bound them together could be drawn if necessary closer. For he could not without sacrificing his dignity follow the example of so many lay lords, and render fealty to one who was only king, in return for protection. But he might without indignity repeat what had been done by his predecessors, and own himself the subject of an emperor. It was not, however, reserved for Hadrian to do more than to think and to scheme.

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And yet those who witnessed the council held at Frankfort[1] in the last year of his Pontificate, might have thought that the Pope had neither much dignity nor ecclesiastical power to sacrifice. Bishops and nobles assembled there at the summons of Charles from every part of the Western Empire, from Italy, Germany, Gaul, Aquitaine, even from Britain, and matters, secular and ecclesiastical, were decided at one and the same assembly. No Hadrian was there to take part when the doctrines of the Adoptionists, Elipand and Felix, were condemned. He could only acquiesce when the decisions of the second Nicene Council, sanctioning the worship of images,[2] were rejected—decisions received in the East, and already approved by Hadrian and his predecessors in the West. In common with the

A.D. 794

787

[1] Concil. Francofurd. an. 794, LABBÉ, ix. 101, Can. 1: 'Convenientibus, Deo favente, apostolica auctoritate, atque piissimi domni nostri Caroli regis jussione an. xxvi. principatus sui, cunctis regni Francorum, seu Italiae, Aquitaniae provinciae episcopis ac sacerdotibus synodali Concilio, inter quos ipse mitissimus sancto interfuit conventui. Ubi in primordio capitulorum exortum est de impia ac nefanda haerese Elipandi Toletanae sedis episcopi, et Felicis Orgellitanae, eorumque sequacibus, qui male sentientes in Dei filio asserebant adoptionem. Quam omnes qui supra sanctissimi patres et respuentes una voce contradixerunt, atque hanc haeresim funditus a sancta ecclesia eradicandam statuerunt.'

[2] *Ibid.* Can. 2: 'Allata est in medium quaestio de nova Graecorum synodo quam de adorandis imaginibus tertiam Constantinopoli fecerunt, in qua scriptum habebatur, ut qui imaginibus Sanctorum, ita ut deificae Trinitati, servitium aut adorationem non impenderent, anathema judicarentur. Qui supra sanctissimi patres nostri omnimodis adorationem et servitutem renuentes contempserunt, atque consentientes condemnaverunt.'

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nations of Southern Europe, Hadrian might deplore the anti-artistic canons of the Council of Frankfort, but the deeper spirituality of the Teutonic Franks was already asserting itself against the abuse of images, not indeed with the rude violence of the edicts of Leo the Isaurian, but with the legal decisions of an imperial synod. The Franks were strong, and what could the Pope dare against such an opponent as Charles?

C. *Allegiance given to the revived Western Empire.*

The idea which floated before the mind of Hadrian I. as a visionary scheme, was, however, about to assume a more material shape in that of his successor. For at least Leo III.[1] contrived to find a way out of the difficulty without sacrificing his dignity. Taught in the very first years of his administration to experience his own helplessness against conspiracy or tumult, conscious of his own personal insecurity, if popular feeling should be roused against him by either well-founded or ill-founded accusations, he matured his scheme of a revived Western Empire. Once, whilst riding in solemn pomp on St. George's day to the church of St. Laurence, he had been suddenly seized by an armed band, thrown from his horse, dragged to a neighbouring church, and there an attempt had been made to practise upon him the oriental punishment of mutilation. From suffering and imprisonment Leo escaped. He crossed the Alps, and repaired to

(1) *Troubles of Leo. III.*

A.D. 795-816

April 23, 799

[1] Leo III. succeeded Hadrian I. as Pope in the year 795 A.D. He was succeeded in 816 by Stephen IV. For his life see LABBÉ, ix. 119.

Paderborn to the court of the patrician Charles. Yet there the voice of slander—if slander it was—followed him. His position seemed utterly hopeless. At home he was threatened by the Roman people, abroad he was threatened by unrelenting enemies. In this emergency he formed his resolve. Perhaps he even communicated it to Charles, but more probably it was concealed in the secret of his own bosom. It was the resolve to complete the revolution begun by Zachary and Pepin at Soissons, by raising the Frankish king to a higher dignity than that of any European sovereign, and to transfer to him when anointed by solemn unction Emperor of the West the allegiance formerly paid by Rome to the Emperor of the East. The resolve was taken. Soon the fitting season for its execution would have arrived.

(2) *Charles in Rome.* A.D. 800

Leo had returned to Rome; to Rome Charles also directed his steps, summoned as a judge to enquire into the charges preferred against the Pope, about to return with the diadem of the Caesars on his brow and the homage of the Pontiff. For some days a synod held sittings; a long and difficult investigation of the charges was made, and nothing was established.[1] But to satisfy the scruples of all, Leo came forward, ascended the pulpit in the church of St. Peter, and there, in the presence of the people,

[1] The Synod declared: 'Nos sedem apostolicam, quae est 'caput omnium Dei ecclesiarum, judicare non audemus. Nam 'ab ipsa nos omnes, et Vicario suo judicamur, ipsa autem a 'nemine judicatur, quemadmodum et antiquitus mos est.' ANASTASIUS, *Vita Leon. III.* The reference is to the Synodus Palmaris an. 501. See p. 17.

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attested before God, His Angels, and the blessed Apostle St. Peter, that he was guiltless of the charges preferred against him. The eighth century of the Christian era was about to close. The last Christmas day had come. The Pope and his clergy, Charles and his attendants, repaired to the basilica of St. Peter to join in devotion.

(3) *Coronation of Charles.* A.D. 800

The service of the mass went on. In the centre of the high altar was the Pope, and around him in the semicircular apse the clergy rising tier upon tier. Charles with all his courtiers knelt in profound devotion below. Then, as before the confession, he rose from prayer, the Pope advanced towards him, suddenly placed on his head a crown, and at once a deafening thrice-repeated cheer arose from the whole assembled people, making the spacious dome ring again, and almost drowning the words : Carolo piissimo Augusto a Deo coronato, magno, pacifico, imperatori Romanorum, vita et victoria. The Emperor elect was anointed with solemn unction. The Pontiff knelt before him and humbly tendered his obeisance. From that day Charles was no longer King of the Franks and Patrician of the Romans, but Emperor of the West and sovereign Augustus.[1]

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[1] See the accounts of the Coronation in LABBÉ, ix. 226, sub an. 800 : 'Exeunte anno Christi DCCC., cum ad reparandum turbatae 'ecclesiae statum Romam venisset Carolus Magnus, ac die natali 'domini, sacrorum causa sancti Petri basilicam esset ingressus, 'Leo pontifex, ob egregia illius in ecclesiam Romanam Christique 'vicarios merita, nihil tale suspicantis capiti coronam imposuit, 'populo ter unanimi voce acclamante, Carolo piissimo Augusto a 'Deo coronato, magno, pacifico, imperatori Romanorum, vita et 'victoria. Ita ab omnibus constitutus imperator, oleo sancto a

By that sudden act, which came upon Charles, according to his own confession, wholly unexpectedly,[1] the transfer of allegiance by the Popes from East to West was complete. By it Charles had obtained the long-cherished object of his ambition, but in a way which he little anticipated. He could no longer indulge in the dream of transferring the Byzantine crown to his own head, nor entertain the project of wedding the Empress Irene. Rival claims to those of the Eastern Empire had been called into being—the claims of the old Western Empire.[2] In the vagueness and uncertainty of the powers, the privileges, and the rights which the new title conferred, in the indistinct notions of the authority by which it was bestowed, dwelt much of its majesty and power. Neither the Pope, the Emperor, nor the people had any clear view of what was implied in the new imperial dignity. It was enough for Leo to have

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'pontifici illico est inunctus, ab eoque more antiquo principum 'adoratus : et qui antea rex Francorum ac patricius Romanorum 'vocabatur, exinde, ablato patricii nomine, imperator et Augustus 'est appellatur.' Another account, *Ibid.* 228 : 'Ipsa autem sacra-'tissima natalis Domini cum Rex ad missam ante confessionem 'beati Petri Apostoli ab oratione surgeret, domnus Leo Papa 'coronam capiti ejus imposuit, et a cuncto Romanorum populo 'acclamatum est, Carolo Augusto a Deo coronato, magno et 'pacifico Imperatori Romanorum, vita et victoria. Antea enim 'domnus Carolus vocabatur ab omnibus rex Francorum et patri-'cius Romanorum ; sed post laudes a domno apostolico more 'antiquorum principum adoratus est, atque ablato Patricii nomine 'Imperator et Augustus est appellatus.' The voice of the age called the coronation by the Pope the coronation a Deo.

[1] See note on preceding page.

[2] GIES. ii. 229 ; NEAND. v. 159 ; see Concil. Roman. an. 996 ; LABBÉ, xi. 1016.

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placed himself under the protection of a new sovereign without loss of dignity; for Charles to have merged his title of King of the Franks in that of Western Emperor; and for the Romans to see their city once more the seat of Empire. They thought not of the union between the Teuton and the Roman; of the wedding between the Papacy and the Empire.[1] Indeed, who that witnessed or took part in the ceremony had any forecast of the far-reaching consequences with which that union was already pregnant?

[1] See MILMAN, book iv. ch. xii.; vol. iii. p. 57 (small edition).

# CHAPTER IV.

## THE POPES UNDER THE CAROLINGIANS.

(800—888.)

*Non est discipulus super magistrum.*—S. Luc. ii. 40.

CHAP. IV.

A. *Papacy to the treaty of Verdun.*

A.D. 800–843.

(1) *Importance of the coronation.*

(*a*) *Foundations laid for future greatness.*

THOSE who have watched the progress of the See of Rome during the two centuries of its growth, from the time of Gregory the Great to the coronation of Charles by Leo III., cannot fail to have observed the foundations already laid of all the subsequent claims advanced on behalf of the Papacy. In the two steps which had been taken as yet—the reduction to submission of the great metropolitans, and the transfer of allegiance from East to West—were involved all its subsequent acts of domination; the oath exacted from Boniface implying that henceforth all bishops were simply Papal vassals; the coronation of Charles securing a political ascendency for the Papacy. For although the Pope on bended knee, took an oath of fidelity to the newly anointed Emperor, yet, by transferring his own allegiance from the East to the West, at his own discretion, he violated the ordinary duties, and overstepped the recognised position of a subject. Charles, it is true, received a new and higher dignity, but the acceptance of that dignity at the hands of Leo, might

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be construed to be a recognition of the Pope as the bestower of Empire.

*(b) Foundations of the Holy Empire.*

One step only was yet wanting before the claims of the Papacy would assume their full dimensions, and that step was a clear enunciation of the principles involved in the two preceding steps. Whenever this other step should be taken, such was the respect inspired by Rome, and such the incapacity of the Northern nations, to whom she had communicated the first germs of civilisation, to distinguish her temporal from her spiritual character, her religious from her civilising influence, that it would only require time, not only to gain ready acquiescence for her claims, but what is more, to obtain actual assistance from those who, in after times, would most suffer from them in furthering her designs of aggrandisement. Rightly, therefore, may the Papal Sovereignty over the West be considered to date from the coronation of Charles in the year 800. For then began that union of Church and State, of the Empire and the Papacy, which ripened into the Holy Empire of a later century, and constituted the characteristic feature of the Middle Ages. For five centuries that Empire—the grandest religious and political institution which the world ever saw—flourished and grew; for as many more it existed in decline and decay. The beginning of the present century has witnessed the downfall of its political head; will it be given to its spiritual head to survive the close? No wonder, considering the changes which the coronation of Charles inaugurated in Europe, that it made an unparalleled impression on those who

lived at the time! For was it not the introduction of order, law, and settled government in the midst of anarchy? Was it not the welding together of hitherto discordant elements? No wonder too that it should have been the theme which engaged the attention of every succeeding age. For was it not the event which gave to mediaeval society its form and impress? Was it not the introduction of a centralising power which fused Frank and Italian, the Teuton and the Roman, into one homogeneous society?[1]

*(2) Position of the Papacy after the coronation.*

After the coronation of Charles, a temporary lull came over the course of the Papacy, whilst the newly-elected Emperor was consolidating his conquests, and Leo III. was adapting himself to his altered relations with Germany. Henceforth, both the Emperor and the Pope combine to build up that peculiar fabric of the Middle Ages, on which both rested for support; the Pope relying on the Emperor for protection against his political foes, the Emperor on the Pope for guaranteeing his doubtful title. Emperors, by their capitularies, advanced the cause of the Popes, whilst the Popes, in pushing their own claims, vindicated for the Emperors a dignity which they had themselves conferred. Thus by playing into each other's hands, the title of both was simultaneously established.

*(a) Power advanced by secular legislation.*

*(a) Capitulary of Charles.* A.D. 802.

Prominent among these capitularies are those which Charles enacted. All persons are required to obey the clergy set over them, from the least

[1] See the excellent ch. v. in BRYCE's *Holy Roman Empire.*

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to the greatest, as they would obey God, whose place the clergy hold upon earth.[1] All men are to refer disputed matters to their bishops for adjudication.[2] At Aachen all persons within his dominions, monks and canons included, were required to take a new oath of allegiance to himself, in which they declare, that henceforward they will bear true allegiance to their Lord Emperor Charles, son of King Pepin, and of Queen Bertha, without fraud, or malice, or guile.[3] 'At the same time it shall be publicly explained to all what is the meaning and force of this oath, and how much more it includes than a mere promise of fidelity to the monarch's person. Firstly, it binds those who swear it to live, each and every one of them, according to his strength and knowledge in the holy service of

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[1] Caroli Magni selecta Capitula ecclesiastica, apud LABBÉ, ix. tit. i. cap. i. p. 232 : 'Praecipientes enim jubemus, ut nullus qui-'libet ex fidelibus nostris, a minimo ad maximum, in his quae 'ad eum pertinent, episcopo inobediens parere audeat. . . . 'Cap. 2 : Volumus atque praecipimus, ut omnes suis sacerdotibus 'tam majoris ordinis quam et inferioris, a minimo usque ad maxi-'mum, ut summo Deo, cujus vice in ecclesia legatione funguntur, 'obedientes existant.'

[2] *Ibid.* cap. iii. p. 233 : 'Quicumque litem habens . . . illico 'ad episcoporum judicium cum sermone litigantium dirigatur.'

[3] Concil. Aquisgr. an. 802, LABBÉ, ix. 265 : 'Ad ipsummet an-'num MDCCCII Carolus imperator concilium habuit, ut ei omnes 'generaliter fidelitatem jurarent, monachi, canonici. Ita et fece-'runt. Sacramentum : Sacramentale qualiter promitto ego, quod 'ab isto die in antea fidelis sum domno Carolo piissimo Impera-'tori, filio Pippini regis et Berthanae reginae, pura mente, absque 'fraude et malo ingenio, de mea parte ad suam partem, et ad 'honorem regni sui : sicut per drictum debet esse homo domino 'suo. Sic me adjuvet Deus.'

God; since the Lord Emperor cannot extend over all his care and discipline. Secondly, it binds them, neither by force nor fraud, to seize or molest any of the goods or servants of his crown. Thirdly, to do no violence or treason towards the Holy Church, nor to widows, or orphans, or strangers, seeing that the Lord Emperor has been appointed, after the Lord and His Saints, the protector and defender of all such.'[1] Moreover, each bishop was required to adapt his liturgy to that in use at Rome; and throughout Charles's administration, civil and religious enactments are so intermingled and confounded, that no parallel to it can be found, except in the Mosaic code. In fact, the leading idea of Charles's legislation seems to have been to reproduce the Mosaic legislation, and to establish a new theocracy upon earth. Four centuries later, his idea was realised.

(3) *Legislation of Lewis the Pious.* A.D. 816

Not less distinguished, and still more conducive to the advancement of the Papacy, was the legislation of Lewis the Pious in several councils held at Aachen in the year 816.[2] The greater part of the acts of these Councils, though relating to the hierarchy, and emanating from the emperor, might almost seem to have been dictated by the Church's head. The duties of each grade of the clergy are defined.[3] The luxury of the clergy and their vices are reprimanded, and their worldly pomp, their belts studded with gold

[1] Quoted from BRYCE's *Holy Roman Empire*, p. 73; to be found in PERTZ. *M. G. H.* iii. (leg. i).

[2] The acts of these Councils are to be found in LABBÉ, ix. p. 399 *seq.*

[3] Liber i. cap. i.–xxii.

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and precious stones, their fine apparel and gilded spurs. The abuses that had crept into monasteries and nunneries are castigated.[1] The rule of Chrodegang, bishop of Metz, requiring the secular clergy to live together under canonical discipline is confirmed, the bishop being invested with autocratic powers to inforce it.[2] Church property is declared strictly inviolable. Monasteries are put under the iron rule of Benedict of Aniane. Full and independent rights are secured for the hierarchy; bishops are to be elected by the clergy and commons; abbots by the brotherhood of monks. The sovereign and the noble are alike excluded from all interposition. To the bishops is given the sole power to depose and expel priests, even from chapels built by nobles on their own domains; and to their irresponsible administration is committed the whole property of the Church.[3] Thus the whole clerical army was concentrated and brought under a rigid discipline, all being ultimately referred to the Pope. The grateful Church knew how deeply she was indebted to Lewis; and in return for his legislation, bestowed upon him the epithet 'the Pious.'

*(b) Relations of the Popes to the Western emperors.*

But still the Popes were subjects, aspiring, it is true, to greater ascendency over the Empire, but holding Rome itself by the most uncertain of tenures. Leo III. had acknowledged Charles as his Lord and Judge. Stephen IV.[4] humbly tendered

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[1] Liber ii. [2] LABBÉ, ix. 536.

[3] See his Capitularies issued to supplement the Council of Aachen, LABBÉ, ix. 569.

[4] Stephen IV. succeeded Leo. III. in the Pontificate in 816.

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( ) *The Popes subjects of the emperor.*

his excuses to Lewis for having been hastily consecrated without the approbation of the emperor or his delegates,[1] and by way of reparation crowned Lewis with great splendour at Rheims. His successor Paschal,[2] again, sent a deprecatory embassy across the Alps to apologise for the precipitancy of his own election; and this time the Romans received a grave admonition not to offend again against the majesty of the Empire. When the emperor Lothar came to be crowned at Rome, Paschal found his own jurisdiction over the monastery of Farfa denied, and was compelled to restore all the property which his predecessors had unjustly taken away.[3] Only by the influence of the emperor's counsellor, Wala, was the election of Eugenius II. secured,[4] and when Lothar for the second time visited Rome, a statute was passed, enacting that, according to the ancient use, no Pope should be consecrated until his election had been confirmed by the emperor.[5] The

June 12, 816

Jan. 24, 817

823

June, 824

Nov., 824

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After holding it one year he was succeeded by Paschal I. in 817. For his life see LABBÉ, ix. 395.

[1] EGINHARD, an. 816: 'Missis interim duobus legatis qui 'quasi pro sua consecratione imperatori suggererent.' ASTRONOMUS, c. xxvi.: 'Praemisit legationem, quae super ordinatione ejus 'Imperatori satisfaceret.'

[2] Paschal I. was Pope from 817 to 824 A.D. He succeeded Stephen IV. and was followed by Eugenius II. His life in LABBÉ, ix. 579.

[3] See the diplomata Lotharii in the Chronicon Farfense in MURATORI, *Script. Rer. Ital.* ii. 386.

[4] Eugenius II. was Pope from 824 to 827. He came next after Paschal I. and was followed by Valentine. His life in LABBÉ, ix. 635.

[5] ASTRONOMUS, c. xxxviii.: 'Statutum etiam juxta antiquum 'morem, ut ex latere Imperatoris mitterentur, qui judiciariam

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A.D. 827–844

successor of Valentine, Gregory IV.,[1] was careful not to ascend the Papal throne until the provisions of this statute had been complied with and Lothar's sanction of his election had been obtained.[2]

(β) *Disaffection of Rome to the Emperor.*

It could not however be expected that the Roman people, always impatient of foreign control, would acquiesce in the reduction of their bishops to the position of vassals of a transalpine power. Once they had owned no other sovereign; now they could ill brook submission to a stranger. Moreover the Franks, to whom they owed allegiance, and who controlled their counsels, were barbarians, whereas they were the representatives of culture and learning. Glad would they have been to throw off the foreign dominion; and gladder still to have the elections of

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'exercentes potestatem, justitiam omni populo . . . aequa lance 'penderent. Clergy and people were then required to take the 'following oath, BOUQUET, vi. 173: 'Promitto ego ille per Deum 'omnipotentem et per ista sacra IV evangelia, et per hanc crucem 'Domini nostri Jesu Christi, et per corpus beatissimi Petri principis 'Apostolorum, quod ab hac die in futurum fidelis ero dominis 'nostris Imperatoribus Hludovico et Hlothairio diebus vitae meae, 'juxta vires et intellectum meum, sine fraude atque malo ingenio, 'salva fide, quam repromisi domino Apostolico: et quod non 'consentiam, ut aliter in hac sede Romana fiat electio Pontificis nisi 'canonice et juste, secundum vires et intellectum meum: et ille qui 'electus fuerit, me consentiente consecratus Pontifex non fiat, prius-'quam tale sacramentum faciat in praesentia missi domini Impera-'toris et populi, cum juramento, quale Dominus Eugenius Papa 'sponte pro conservatione omnium factum habet per scriptum.'

[1] Gregory IV. succeeded, an. 827, after Valentine's five weeks' episcopate, and held the chair of St. Peter until an. 844, when he was succeeded by Sergius II. His life in LABBÉ, ix. 667.

[2] EGINHARD, p. 390: 'Non prius ordinatus est, quam legatus 'Imperatoris Romani venit et electionem populi qualis esset 'examinavit.'

their prince-bishop in their own hands, and to be rid of imperial nominees. Perhaps, likewise, the Popes too, always longing as they were to bring their real power into some proportion to the honour they enjoyed, would have rejoiced had it been so. But the time was not yet come for such a step. The Popes were still too weak and the emperors were still too strong. All fear of enemies nearer home had not as yet quite disappeared. For the present it was better to incur the resentment of the Romans, rather than to break with sovereigns such as Charles, Lewis, and Lothar. The allegiance of Rome to the Empire was precarious. The position of the Popes at Rome was precarious also; and more than once it was their lot to experience how precarious it was.

Leo III., who had had a narrow escape from being mutilated by the Romans before the coronation of Charles, was hardly safe during his imperial reign.[1] On the death of Charles, the tide of Roman insurrection again rolled heavily; the Pope held his throne only through the awe of the imperial power. Tumults broke out at the election of Stephen IV.; Paschal I. was forced by the impatient people to assume the Pontificate without the imperial sanction, but was too prudent to make common cause with the Romans in their premature assertion of independence. The election of Eugenius II. was only carried after a contest between the German and Roman factions, and the presence of Lothar was necessary to uphold Eugenius II., even when elected, against his

A.D. June 12, 816

Jan. 24, 817

[1] See ch. iii. p. 18.

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rival Zinzinnus. Gregory IV. was more fortunate. By birth a Roman, elected by the people and approved by Lothar, he, for the first time since the coronation of Charles, united opposing interests.

(γ) *Weakness of the emperors strengthens the Church.*

And yet whilst the Popes were the subjects of the Empire, and had to look to the Empire for protection, even in the city over which they presided, there were not wanting indications of their growing independence, which was advanced in great measure by their territorial possessions. The legislation of Charles, and still more that of Lewis, proves to what extent even the minds of the greatest princes were spell-bound by the idea that the Roman Church was the seat of St. Peter. No wonder then that Lewis in the feebleness of his later years, and princes weaker than Lewis, should humbly succumb before the higher spiritual pretensions of the Papacy. Not six years after the great Diet of Aachen, another diet was convened at Attigny-sur-Aisne[1] to witness the humiliating public penance of the Emperor Lewis. His sensitive conscience had long been preying on him, reproaching him for having compelled his brothers to receive the tonsure against their will, for his barbarous conduct towards his nephew Bernard,[2] for the chastisement of the insurgent bishops, and for the restraints which he had imposed on the holy monks Adalhaid, Wala, Bernarius. For these delinquencies the trembling son of Charlemagne stood weeping and imploring the intercession of the clergy,

A.D. Aug. 822

[1] See LABBÉ, ix. 624, an. 822.

[2] It may render the history of this period more intelligible to give the pedigree of the Carolingians at the end of the chapter.

endeavouring by prodigal almsgiving and most humiliating penances to appease the wrath of heaven. Never afterwards was Lewis what he had been before. His superstition had abased the imperial dignity before the transalpine clergy. He could not again raise it to its former greatness.

The disturbances which occupy the remaining years of his life were the consequences of a character, too yielding to restrain this turbulence of his nobles, too feeble to curb his own passions, too superstitious to oppose the pretensions of his clergy, and they afforded to the Popes ample opportunity of aggrandisement. Even the attitude assumed by the French prelates towards Gregory IV., when he appeared in France as mediator between Lewis and his sons, and still more the threats which they addressed to him, that if he came to excommunicate them, he should himself return excommunicated, although uttered in the heat of the struggle, are evidence rather of the strength of the Church in Gaul than of the weakness of the Papacy in Italy. Not many weeks later the strength of the clergy in Gaul was put to the test. At Compiégne Lewis was deposed by the bishops and compelled to do public penance in the Church of St. Medard at Soissons.[1] There, having laid aside his imperial attire, and put on a dark robe of mourning, he repeated eight articles of accusation against himself, declaring himself guilty of sacrilege and perjury; of severity towards the partisans of his sons; of all the

June 20, 833

[1] Conven. Compendiens, an. 833, LABBÉ, ix. 802.

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slaughter, pillage, and sacrilege caused by the insurrection of his sons; of arbitrary government; and maladministration of the Empire. It was a sad scene to behold the son of Charles, crowned Emperor
March 1, 834 of the West, thus humiliated before his own clergy, confessing himself guilty of crimes which he had never committed—a foretoken of Henry IV.'s humiliation at Canossa. It was a degradation and insult to the Empire, and as such it enlisted all the warlike nobles on his side against the clergy, and resulted in his speedy restoration.[1] For six more years Lewis continued to reign without power, a tool in the hands of contending factions, which at his death took up arms in open warfare, and continued
841 their warfare until Lothar had been defeated on the field of Fontenay, and peace restored by the
843 division of the Empire at Verdun.[2] But what is

[1] See the account in LABBÉ, ix. 809, an. 834, of the Conventus apud sanctum Dionysium.

[2] The state of the kingdoms before and after the treaty of Verdun may be best gathered from the following table:

| DATE | EMPERORS OF THE WEST | Kings of Germany | Kings of France |
|---|---|---|---|
| 800 | CHARLES the Great | | |
| 814 | LEWIS the Pious | | |
| 817 | LOTHAR | | |
| 840 | . . . . . | Lewis the German *died* 875 | Charles the Bald |
| 850 | LEWIS II. *died* 875 | ... | ... |
| 875 | CHARLES the Bald | ... ... | *died* 876 |
| 876 | . . . . . | Lewis II. | Louis II. (the Stammerer), *died* 879 |
| 879 | . . . . . | . . . . | Louis III. and Carloman, *died* 884 |
| 880 | . . . . . | Charles the Simple | ... |
| 884 | CHARLES the Fat | ... | ... |
| 888 | Arnulf Emperor in Germany | In Italy Guido and Berengar | Eudes |

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most eventful about these transactions in the life of Lewis is the part which the clergy played in arranging, conducting, and accomplishing them, and thus bringing them under the sanction of religion. This circumstance alone is enough to show how the power of the Church was growing. And if in that age the power of the Church was not as yet identical with the power of the Pope, the current feeling of the day at least considered that so it ought to be; nor was it long before this feeling found expression in fact.

B. *The False Decretals.*

(1) *History of the Decretals.*

(*a*) *Contents.*

No document has ever had a more remarkable history, or a more lasting influence on the relations of society, than that in which this feeling found expression, and which is known in modern times by the name of the False or Pseudo-Isidorian Decretals.[1] A collection of decretal letters made by Isidore of Seville had long been in great repute in the West, based on the earlier collection made by Dionysius Exiguus in the sixth century, containing the Apostolic canons, the canons of the most important councils of the fourth and fifth centuries, and the decretal letters of the Popes from the time of Siricius to that of Anastasius II. Suddenly there appeared at Mainz, in the time of Archbishop Autcar, a collection purporting to be that of Isidore,

A.D. c. 633 — c. 500 — 385–498 — 826–847

[1] Some account of the False Decretals may be found, GIES. ii. 324; NEAND. vi. 101; MILMAN'S *Latin Christianity*, book v. ch. iv.; vol. iii. p. 191 (small edition). The great works are, however, KNUST (F. H.), *De fontibus et consilio pseudoisidorianae collectionis*, Götting. 1832, 4to; and MÖHLER'S *Fragmente aus und über Pseudo-Isidor.*

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A.D. 786–814

c. 100–311

311–715

brought, it was said, from Spain by Archbishop Riculf, but containing a series of documents hitherto unknown—fifty-nine letters and decrees of the twenty oldest bishops of Rome from Clement to Melchiades, the donation of Constantine, thirty-nine new decrees of Popes and councils between the time of Sylvester and Gregory II., and the acts of several unauthentic councils. The chief points to which the spurious decrees were directed were, the exaltation of the episcopal dignity,[1] the security of the clergy against the attacks of laymen,[2] the limitation of the power of metropolitans,[3] reducing them to be mere instruments of the Pope, and a consequent enlargement of the privileges of the See of Rome.

*(b) Marks of spuriousness.*

Harmonising as the new collection did in its tone with the general feeling of Christendom, and being

[1] URBANI I. Ep. an. 223–230 A.D. : 'Ideo ista praetulimus, 'carissimi, ut intelligatis potestatem Episcoporum vestrorum, in 'eisque Dominum veneremini.' PONTIANI Ep. i. an. 230–235 A.D. : 'De illis enim dictum est, Qui vos contristabit, me contri- 'stabit . . . et alibi, Qui vos audit, me audit.'

[2] AGOBARDUS, *De privilegio et jure sacerdotii*, cap. i. : 'Pressurae, 'odia et despectio Ecclesiarum atque Clericorum nunc inferve- 'scere coeperunt saeculis inaudito et inusitato modo.' Idem, *De dispensatione ecclesiasticarum rerum*, cap. xv.: 'Nunc in quibusdam 'locis nullus ordo hominum, sive sint liberi, sive servi, de habita- 'tione sua tam infidus est, ut sacerdotes : ut pote qui nullo modo 'securi esse possint, nec scire quot diebus Ecclesiam vel habitacu- 'lum suum eis habere sit licitum. Nunc non solum possessiones 'ecclesiasticae, sed ipsae etiam ecclesiae cum possessionibus 'venumdantur.' PII I. Ep. i. an. 142–157 : 'Oves pastorem suum 'non reprehendant, plebs vero Episcopum non accuset . . . Epi- 'scopi autem a Deo sunt judicandi.'

[3] ZEPHYRINI I. Ep. i. an. 202–219 : 'Patriarchae vero vel Pri- 'mates accusatum discutientes Episcopum, non ante sententiam 'proferant finitivam, quam apostolica fulti auctoritate.'

hailed as a boon by the clergy, it passed unquestioned at the time. Only some French prelates dared to dispute it, not indeed on critical grounds, but because it advanced pretensions to which they were not willing to submit.[1] And yet to a critical eye it was full of palpable anachronisms. The ancient Roman bishops quote a Latin translation of Scripture formed from the mixture of St. Jerome's with an earlier version. The Roman bishop, Pius I., A.D. 156–165 complains in the second century that property devoted to God has been applied to secular purposes.[2] Zephyrinus, 202–219 living under the pagan Emperors Caracalla and Elagabalus, speaks of the expulsion of the bishops being forbidden by the imperial decrees.[3] Victor, 193–202 who lived at the close of the second century, writes to Theophilus, bishop of Alexandria, who lived two centuries later, respecting the contested observance of Easter which had been settled at the Nicene Council. The words of the Sodomites are cited as the words of God uttered by Moses, and brought forward as evidence against secular tribunals in ecclesiastical matters; and the words of the Epistle to the Hebrews are quoted in a perverted way to prove the magical purifying power of consecrated water.

*Gen.* xix. 9.

*Heb.* ix. 13.

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[1] See NEAND. vi. 120.

[2] PII I. Ep. ii.: 'Ad sedem apostolicam perlatum est, quod 'praedia . . . divinis usibus tradita quidam humanis applicant 'usibus, et Domino Deo, cui tradita sunt, ea subtrahunt, ut suis 'usibus inserviant.'

[3] ZEPHYRINI Ep. ii.: 'Nunciatum est sedi apostolicae per apo- 'crisiarios vestros, quosdam fratrum nostrorum Episcoporum vide- 'licet, ab ecclesiis et sedibus propriis pelli, suaque eis auferri 'supellectilia, et sic nudos et expoliatos ad judicia vocari.'

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(c) *General acceptance.*

Notwithstanding all these evidences of forgery, no general exposure of the fraud was made until the time of the Reformation. Nicholas of Cusa and Turrecremata had indeed before that time cast suspicion upon the genuineness of the decretals as far as they dared to do so, but the Magdeburg Centuriators were the first, and after them Blondel, who thoroughly laid bare the fraud. Internal evidence points to Mainz as the spot in which the forgery was perpetrated, although the question of authorship is one involved in more or less of obscurity. Was Benedict Levita, a deacon of Mainz, the author, as has been frequently supposed, or were the decretals the work of Archbishop Riculf?[1] Or did they, as indeed seems the most probable conjecture, emanate from Archbishop Autcar, either directly or indirectly, through the assistance of one among his clergy? Moreover, history points to the Treaty of Verdun,
843 as the time when they became known.[2] By some

[1] PETRUS DE MARCA, *De Conc. Sæc. et Imp.* iii. 5; and BLASCUS, *Comm. de Collect. Can.*, cap. vi., regard Riculf as the forger. BALUZIUS, MABILLON, and NATALIS ALEXANDER place their origin under Charles. Febronius even supposes they were written in Rome as early as 744. Benedictus Lerita is, however, undoubtedly the first who made an extensive use of the False Decretals in his collection of capitularies, thus obtaining for them wide circulation; and Autcar must have been privy to the forgery, if he was not the author. The latter view is shared by BLONDELLUS, BALLERINI, SPITTLER, and PLANCK.

[2] The False Decretals appear to have been drawn up after the year 829 A.D. since they contain quotations from the Acts of the Council of Paris held in that year, in the letters of John I. and Urban III. for instance. They were cited as an authority by Charles the Bald at the Council of Quiercy, which therefore proves

(2) *Drift of the decretals.*

(a) *Claims for the Papacy in harmony with the spirit of the age.*

it has been even supposed that there is a reference to them in that treaty.

The views advocated in the decretals are of the most advanced kind, but still substantially the same as those advocated in the writings of Leo I. and Gregory I.—there only existing in embryo, here developed by time and favouring circumstances, especially by the oath of Boniface and the coronation of Charles. Above the priests, themselves an inviolable caste, the apple of God's eye, the 'familiares Dei,' the spiritual men as opposed to the carnal laymen, subject to no secular tribunal, inviolable as well with regard to their person as their property; above the bishops, in whose persons Christ himself is honoured, and who can not be condemned but by the concurrence of seventy other bishops; above the great metropolitans, primates, and patriarchs, towers the Roman Pontiff, the Bishop of the Universal Church, the successor of St. Peter, on

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that they must have been in existence before the year 857 A.D., that being the year in which the Council was held. There appears also to be an allusion to the Acts of the Council of Thionville, which would place them later than the year 835. And if, as is asserted, they are quoted in the Treaty of Verdun, their date must lie between the years 835 and 843 A.D. Certainly they must have been written before 845, because in that year Benedictus Lerita began to compile his collection of capitularies, in which Pseudo-Isidoriana appear in great numbers. Roughly speaking, we may assign 840 A.D. as their date. It has been supposed, and, perhaps, with great probability, that the False Decretals were a work of gradual growth. The germ of them is found in the Eighty Capitula of Pope Hadrian I. an. 785, in LABBÉ, viii. 598. This at least is the view of WASSERSCHLEBEM, *Beiträge zur Gesch. d. vorgratian. Kirchenrechtsquellen*, Leip. 1839.

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whom in particular has been conferred by Christ the power of binding and loosing.[1] He is the sole and sufficient judge in all cases affecting bishops, the sole authority for convening synods. He is the sole framer of irrevocable decisions, a sovereign on earth possessing authority over Rome derived from the grant of the Emperor Constantine, and also a sovereign in heaven, the disposer of the kingdom of heaven.

To have advanced claims such as these, had they not been supported by the sympathy of the West, must have been almost equivalent to dealing a death blow at the Papacy. The very fact, however, that these claims, instead of weakening the Papacy, consolidated its power, may show to what extent they expressed the feelings of the age. Indeed it is remarkable that they did not emanate from Rome, but from the diocese of Mainz. So strong was the spell of fascination which Rome then exercised over the Teutonic nations — nations apparently more

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[1] Conf. Capitula Hadriani, lxxii. an. 785, LABBÉ, viii. 606: 'Presbyter non adversus episcopum, non diaconus adversus presbyterum, aut subdiaconus adversus diaconum, non acolytus adversus subdiaconum, non exorcista adversus acolytum, non lector adversus exorcistam, non ostiarius adversus lectorem det accusationem aliquam. Et non damnabitur praesul, nisi in lxxii. testibus. Neque praesul summus a quoquam judicabitur, quoniam scriptum est: Non est discipulus super magistrum. Presbyter autem in cardine constitutus, non nisi lxiv. testibus damnabitur. Diaconus cardinarius constitutus urbis Romae, nisi in xxvi. non condemnabitur. Subdiaconus, acolytus, exorcista, lector, nisi sicut scriptum est, in vii. testibus non condemnabitur. Testes autem sine aliqua sint infamia, uxores et filios habentes, et omnino Christum praedicantes.'

anxious than the Popes themselves to advance the Papal theocracy. Great therefore was the influence of the False Decretals, when they became generally known; and that influence continued to go on for seven centuries, until the forgery was exposed. Have they not moulded the hierarchical relations of all the Churches of Europe? Are not traces of them to be seen in institutions which still survive?

(*b*) *Instances of these claims being advanced before the time of Nicholas I.*

Until the time of Nicolas I., no authoritative appeal by Popes to the decretals is on record. Then, however, an instance occurs of a pontiff one year ignorant of their existence, and the next year quoting them as an authority to the Frankish bishops. But the principles distinctly enunciated at Mainz were being carried out at Rome, as early in fact as the time when the death of Lewis the Pious had broken up the Empire of Charles into the three parts—German, French, and Italian—which henceforth constitute distinct nations. Thus the election and consecration of Sergius II. took place in violation of the ancient treaty, without awaiting the consent of the Emperor Lothar.[1] Fired with indignation, Lothar despatched his son Lewis, then king of Italy, and afterwards emperor, to punish the presumption of the prelate. But Sergius II. knew the strength of his position; he knew the awe inspired in the Franks by a solemn religious service; he knew the support he could expect from the

(*c*) *Sergius II.* A.D. 844–847

844

[1] See the passage from which this is taken in MILMAN'S *Latin Christianity*, book v. ch. iii.; vol. iii. p. 119. Sergius II. succeeded Gregory IV. as Pope an. 844. He was succeeded in 847 by Leo IV. For his life see LABBÉ, ix. 932.

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Romans. Lewis was met with signs of joy; all the civil authorities and all the people went forth to welcome him, chanting hymns and songs of praise, and conducted him to the city. By the Pope he was embraced, on the steps of St. Peter, and led to the silver-plated doors of the Church, which were jealously closed. 'Comest thou with a pure heart and mind for the welfare of the republic, the whole world, and this Church?' asked the Pope: 'if not, never shalt thou with my consent enter within these gates.' The king protested that his intentions were pacific: he was allowed to enter the Church. As he entered the chant burst forth, 'Blessed is he that cometh in the name of the Lord.' Still the cautious pontiff was too wary to allow his army to enter Rome; and the Roman patricians absolutely refused to acknowledge allegiance to any one but to the emperor himself.

(β) *Under succeeding Popes.*

(αα) *Leo IV.*

A.D. 847-855

Again, on the death of Sergius II., an election was made with the utmost haste, and Leo IV.[1] consecrated as soon as elected, but, on this occasion, the imperial rights were infringed only on account of the exigencies of the time, the Saracens being almost at the gates of Rome; and the consecration took place with the express reservation of the emperor's rights. Nevertheless, as if to indemnify himself for his dependence on the Franks, Leo IV. in writing

[1] Leo IV. succeeded Sergius II. an. 847 and died 855. For his life see LABBÉ, ix. 995. The female Pope, Johanna, who is said to have sat in the chair between Leo IV. and Benedict III., is a later fiction. See the authorities cited by GIESELER, ii. 220; and the discussion in LABBÉ, ix. 1167 ad an. 855.

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to princes, placed the name of the prince addressed after his own, omitting also the title Dominus. His successor, Benedict III.,[1] not more fortunate than Eugenius II. had been, only obtained the Papal chair against his rival Anastasius by the decision of the imperial commissioners; and Nicolas I. was chosen rather by the favour of the Emperor Lewis II. and his nobles than by that of the clergy.

(β) *Benedict III.* A.D. 855-858 855 858

Under Nicolas I.[2] the Papacy appears in all the dimensions of a later age, and, as if to mark the commencement of a fresh epoch, the new ceremony of coronation was introduced at his consecration.[3] Already strengthened in many of his claims to power by the sanction of the False Decretals, which were now for the first time appealed to as an authoritative document, Nicolas acquired still more power, owing to the goodness of the causes on behalf of which he interposed, acting as the champion of the oppressed, and upholding the fundamental rules of morality and civil society. In the disputes between Photius and Ignatius for the Patriarchate of Constantinople, he had established his reputation for justice in the East as well as in the West.[4] He

C. *The Papacy as developed by the False Decretals.* A.D. 860–888 (1) *Nicolas I.* A.D. 858–867 (a) *Champion of justice.* (b) *In the affair of Ignatius.*

[1] Benedict III., Pope from 855 to 858, was succeeded by Nicolas I. For his life see LABBÉ, ix. 1237.

[2] Nicolas I. succeeded Benedict III. in 858, and was succeeded in 867 by Hadrian II. For his life see LABBÉ, ix. 1270.

[3] ANASTASIUS, Vita, cvii. Nicolai I. On this occasion the Emperor Lewis II. acted as equerry. In the words of Anastasius: 'Frenum Caesar equi Pontificis suis manibus apprehendens pedes-tri more, quantum sagittae jactus extenditur, traxit.'

[4] See the account of the controversy in GIES. ii. 464; MILMAN, vol. iii. book v. ch. iv. 160.

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had espoused the cause of the unjustly deposed Ignatius against the drunkard emperor, Michael III.; and cancelling the decision of his legates, who had yielded to bribes, in a synod held at Rome[1] he had proceeded to pronounce sentence of deposition on Photius. That same justice was shown in his conduct towards Lothar II., the king of Lorraine, whose divorce from the injured queen Thietberga he absolutely prohibited. It was in vain that Lothar, anxious to marry the guilty Waldrade, circulated an infamous accusation against his lawful queen;[2] in vain that a synod held at Aachen[3] of bishops wholly subservient to the guilty pleasures of their prince, declared his first marriage invalid, and gave him permission to marry Waldrade; in vain even that Lothar so contrived it that none but bishops dependent on himself, either by presents or threats, should meet at the new council, convened by the Pope at Metz,[4]

(·) *In the affair of King Lothar II.*

A.D. 863

862

863

[1] Concil. Roman. iv. an. 863, LABBÉ, x. 243. For an account of the Synod see Nicolai I. Ep. vii. LABBÉ, ix. 1307, sect. 4: 'Reverentissimum et sanctissimum fratrem et coepiscopum nostrum Ignatium, sanctae Constantinopolitanae ecclesiae patriarcham, qui primo quidem imperiali violentia ac terrore, proprio throno privatus est, et postea a Photio adultero, praevaricatore ac pervasore sedis Constantinopolitanae, et ab ejus complicibus . . . anathematizatus est, et . . . infulis est sacerdotalibus despoliatus, auctoritate summi judicis domini nostri Jesu Christi promulgamus, sancimus, atque decernimus, unquam nec fuisse, nec esse depositum, vel anathematizatum, tanquam qui ab imperiali potentia est absque ulla canonica auctoritate pulsus ecclesia,' etc.

[2] Eam ab ejus fratre constupratam esse.

[3] Concil. Aquisquam. iii. an. 862, LABBÉ, x. 200.

[4] Concil. Metens. an. 863 coram Radoaldo et Joanne apostolicae sedis legatis habitum, LABBÉ, x. 231.

and that the bishops then assembled confirmed the decision of the previous synod. Nicolas was superior to the influences which corrupted his legates both on this occasion and at Constantinople. In a new synod summoned at Rome[1] in the same year, after a careful investigation of the case, he pronounced the decrees of the synod of Metz to be null and void;[2] he declared that such an assembly, favouring the cause of adulterers, was not worthy to be called a synod; he deposed the two leading archbishops, Thietgaud of Triers, and Gunther of Cologne, as men who had bid defiance to the Apostolic ordinances and the rules of justice;[3] and only accorded pardon to the rest of the bishops, on condition that they testified their repentance in person or by proxy, and submitted to the decrees of the Apostolic chair. Truly imposing, however, was his attitude, when on the occasion of a general fast, and a penitential procession which he had decreed for the purpose of entreating the Almighty to inspire the emperor with a right disposition and respect for St. Peter, a procession of clergy and people was attacked by a band of lawless soldiers who had entered Rome to support the cause of Lothar. Hastily crossing the Tiber for safety, Nicolas retreated to the Church of St. Peter, and there spent two days and two nights

[1] Concil. Romanum iii. an. 863, LABBÉ, x. 235.

[2] Conc. Rom. iii. *Ibid.* Can. 1.: 'Synodum in Metensium urbe '. . . collectam ex tunc et nunc et in aeternum judicamus esse 'cassatam, et cum Ephesino latrocinio reputatam, apostolica auc-'toritate in perpetuum esse sancimus damnandam nec vocari 'synodum.'

[3] *Ibid.* Can. 2.

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in fasting, and quietly awaited the issue.[1] The unruffled dignity and brave endurance which he then displayed in defending a holy cause could not fail to win the respect of all lovers of right, and materially to strengthen the position of the Papacy.

A.D. 865

All the attempts of Lothar to make the Pope acquiesce in his crime, shattered on the firmness of Nicolas; whom nothing would satisfy short of a total renunciation by Lothar of his criminal connection with Waldrade, and a restoration of Thietberga to her rightful position. The king was at length obliged to receive her at the hands of a papal legate, in the presence of the majority of his nobles, and to promise on oath, that for the future he would treat her as his lawful wife and queen.[2] When, however, his wickedness had desired a new expedient for the gratification of his lust, and Thietberga had been reduced by ill-treatment to such a strait, that with her own hand she wrote to the Pope, declaring that her marriage with Lothar had never been a valid one, and expressing her resolution to devote herself henceforth to a life of chastity, Nicolas detected the refinement of Lothar's cruelty, and again stood up in defence of the oppressed. Thietberga was given to understand[3] that she need be under no

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[1] MILMAN, iii. 181 (small edition). [2] NEAND. vi. 115.

[3] Nicolai I. ep. xlviii. ad Theutbergam, LABBÉ, ix. 1444: 'Cum 'magis nos ita sentiamus quod justum est, et ita intelligamus quod 'aequum existit, ut te etiam reprobata etiam mortua, Lotharius 'nullis legibus . . . Waldradam moecham in uxorem unquam 'permitteretur assumere . . . Verum nos hanc confessionem tuam, 'quam non voluntas sed vis extorsit, nequaquam pro confessione 'recipimus. . . . Nec putamus Lotharium virum videlicet tuum,

apprehensions for her life, since Lothar should never be allowed to marry the adulteress Waldrade, and was informed that the laws of the Church could not allow her to take the vow of chastity, unless both husband and wife of their own free will came to the same resolution. The sympathies of all who were not prejudiced by party-feeling could not fail to go with Nicolas I. in upholding the cause of justice without fear of man; and thus in a lawless age all lovers of order were enlisted on his side, and bore without murmuring what might otherwise have seemed overbearing conduct.

*(b) Humiliation of the great prelates.*

*(a) Archbishops of Cologne and Triers.*

Nor was the firm adherence of Nicolas to the cause of right less manifest in his treatment of the deposed archbishops, Thietgaud of Triers, and Gunther of Cologne, a treatment which at the same time disclosed the extraordinary strength of the Roman bishop. Not all the remonstrances of the emperor, to whom the act was represented as an insult done to himself, not the march of Lewis II. upon Rome, not the privations to which he was himself exposed, not all the intercessions of bishops and princes, could induce Nicolas to revoke his sentence upon them.[1] The sudden death of an imperial soldier, who had dashed in pieces a cross held in special veneration, was regarded as a judgment of heaven in favour of the Pope. The emperor was seized with a fever,

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'in tantam sui perniciem devolvendum, ut vitae tuae insidiari quo-
'cumque modo consentiat, cum non sibi vel regno suo minus
'quam tibi, si ad hoc tam immane piaculum dilapsus esset, acqui-
'reret omnino dispendium.'

[1] NEAND. vi. 115; MILMAN, iii. 182.

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and relented. Lothar deposed Gunther to appoint his own son in his place; Thietgaud bowed before the storm. The two greatest prelates of Germany had been humbled.

(β) *Archbishop of Ravenna.*

A.D. 862

Nor did an archbishop nearer home, John of Ravenna, fare much better. Ambitious and avaricious, resting his haughty pretensions on the fact that Ravenna had once been the imperial residence, and therefore aspiring again to set up Ravenna as superior to Rome, he had taken possession of certain

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estates claimed by the Roman See, visiting all who offered resistance with imprisonment and excommunication. Successful at first in his appeal to the emperor, Lewis II., he had retired from Rome, excommunicated himself, but refusing to acknowledge the authority of the Pope. But his own city did not espouse his cause, and another triumph was in store for Nicolas. The people of Ravenna invited the Pope to visit their city; at his approach, the archbishop fled; the emperor left him to his own devices, and bade him humble himself before the great Pope to whom we and the whole Church submit in obedience. No other alternative was left to John, but with tears to implore the mercy of his adversary, to take a

Nov. 1, 862

public oath of allegiance to Nicolas on the sacred relics, the cross and sandals of Christ, and the four Gospels, and to promise to present himself personally every year at Rome.[1]

(γ) *Hincmar of Rheims.*

A like success attended Nicolas in his struggle with the great transalpine prelate, Hincmar, arch-

[1] Milman, iii. 172.

bishop of Rheims. In this case, however, he seems to have consulted the interests of the Papacy rather than the claims of justice, and on this occasion for the first time the False Decretals were appealed to as an authority.[1] In a provincial synod held at Soissons Hincmar, the most learned, powerful, and politic ecclesiastic in France, had deposed Rothad, the bishop of that city, for disobedience to ecclesiastical rule.[2] Neither Hincmar himself, who had deposed A.D. 861 Rothad, nor the French bishops who constituted the synod, denied the right of Rothad to appeal in the first instance to the Pope, but they *did* refuse to recognise his second appeal, because he had taken back his first appeal by choosing the bishops themselves for his judges. Great, therefore, was Hincmar's indignation, when the Pope, in violation of the laws of the Church, entertained Rothad's second appeal, and after citing Hincmar to Rome, declared, on his non-appearance, the sentence pronounced by him to 864 be invalid, and sent Rothad back to France with a dictatorial letter to the king and the archbishop. In justification of this conduct, Nicolas at first quoted the canons of Sardica, but he subsequently appealed to the False Decretals. Still more important than the object gained was the manner in which it was

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[1] NEAND. vi. 117; GIES. ii. 341; MILMAN, iii. 184.

[2] Concil. Suesson. an. 861, LABBÉ, x. 196; *Annales Bertiniani* ad an. 861: 'Hincmarus Durocortori Remorum archiepiscopus 'synodo comprovinciali apud martyrium sancti Crispini et Crispiniani secus civitatem Suessionis Rothadum ipsius urbis episcopum regulis ecclesiasticis obedire nolentem episcopali privat 'communione secundum decreta canonum, donec obediat.'

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effected.[1] For the Pope maintained on the authority of the decretals that an archbishop is not warranted in judging a bishop unless he has received plenary powers from the Pope for that purpose. And not only was this appeal important since it invested the decretals with the Papal sanction, but it was still more so because it employed them in a case in which the episcopal rank was concerned. Henceforth all bishops would advocate them, hoping, as in the case of Rothad, to gain in the Pope a champion of their dignity against the oppression of the greater metropolitans.

Nicolas I. did not pass away without leaving his mark on the history of the Papacy.[2] No Pope since the time of Gregory I. so well deserves the title of the Great; and yet the prejudices of a later day have deprived him of his just due. The pitch to which the administration of Nicolas I. had raised the Papal dignity far surpasses the achievements of any of his predecessors. It was supported by his

(2) *Hadrian II.*

successor Hadrian II.,[3] but neither with equal judg-

[1] NEAND. vi. 118; GIES. ii. 341.

[2] A description of Nicolas I. ap. Regin. ad an. 868: 'Post 'beatum Gregorium [I.] usque in praesens nullus Praesul in Ro- 'mana urbe pontificali honore sublimatus illi videtur aequiparan- 'dus: regibus ac tyrannis imperavit, eisque, ac si dominus orbis 'terrarum, auctoritate praefuit: episcopis et sacerdotibus religiosis 'ac mandata Domini observantibus humilis, blandus, pius, man- 'suetus apparuit; irreligiosis et à recto tramite exorbitantibus terri- 'bilis atque austeritate plenus extitit, ut merito credatur alter 'Helias, Deo suscitante, nostris in temporibus resurrexisse, etsi 'non corpore, tamen spiritu et virtute.' See also NEAND. vi. 120.

[3] Hadrian II. succeeded Nicolas I. an. 867. He was succeeded by John VIII. in 872. His life in LABBÉ, x. 387.

CHAP. IV.

A.D. 867–872

(a) *Struggle with Charles the Bald.*

ment, nor with equal success. It might indeed seem that heaven was favouring the cause of the Papacy, when Lothar and his nobles, who had been admitted to communion by Hadrian at Rome, under a solemn adjuration of their innocence, were carried off by a plague before the end of the year.[1] But when, seizing the occasion, Hadrian thought to interfere in the disposal of Lothar's kingdom, the world was not ripe for this broad and naked assertion of the Papal power, and he learnt that his threats could be despised even when uttered in the cause of justice.[2] Notwithstanding all he could do, the kingdom of Lorraine was seized by Charles the Bald, the uncle of Lothar II., by whom also it was retained to the detriment of the claims of Lewis II., the brother of Lothar. Still less was Hadrian's interference successful in behalf of Carloman, the rebellious son of Charles the Bald.[3] When Carloman,

July, 869

June 28, 870

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[1] MILMAN, iii. 202: 'If thou avouchest thyself innocent of the 'crime of adultery, for which thou hast been excommunicated by 'the Lord Nicolas, and art resolved never again to have unlawful 'intercourse with the harlot Waldrade, draw near in faith, and 'receive the holy sacrament for the remission of thy sins. But if 'thou thinkest in thy heart to return to wallow in adultery, beware 'of receiving it, lest thou provoke the terrible judgment of God.' The king shuddered, but did not draw back.

[2] On the death of Lothar, his brother the emperor, Lewis II., ought to have been his legal heir, but his uncle, Charles the Bald, seized the kingdom of Lorraine, and was supported by the French bishops. Hadrian II. rebuked the latter, and bade Hincmar have no communion with Charles the Bald, unless he surrendered what he had wrongfully seized. Hincmar in reply wrote a letter full of plain truths. See p. 108; and NEAND. vi. 123.

[3] MILMAN, iii. 206.

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having deserted his monastic life for the more congenial life of arms, appeared at the head of a band of robbers ravaging the territory of his father; and the Frankish bishops were preparing to take the extreme measure of degradation against the apostate ecclesiastic and unnatural son; to their surprise appeared a letter from Hadrian II.:—'Not only,' it ran,[1] 'have you usurped the realm of others, but you have surpassed the wild beasts in cruelty. You have, like the ostrich, hardened your heart against your own son in having banished him from the kingdom and endeavoured to procure his excommunication.' 'Carloman,' it continued, 'has appealed to the Apostolic See, and by the Apostolic authority we command you to refrain from your cruelty: restore him to your favour, receive him as your son, reinstate him in his honours till the arrival of our legates who will settle the case.' These threats were to no purpose. The clergy made common cause with the king; and supported by the strong-minded prelate, Hincmar of Rheims, Charles defied the Pope to the day of his death.

Archbishop Hincmar had succumbed in his

[1] Epist. xxix. Hadriani II. LABBÉ, x. 435: 'Inter cetera excessuum tuorum, quibus aliena usurpando invasisse crederis, illud quoque nihilominus objicitur, quod etiam bestiarum feritatem excedens, contra propria viscera, id est, contra Carlomannum genitum tuum saevire minime verearis; ita ut more struthionis, quod ex libro beati Job discimus, obduraveris ad filium tuum, quasi non sit tuus. . . . Verum quia idem Carlomannus sedem apostolicam legatis suis, tanquam quibusdam pedum suorum passibus adiit . . . primo quidem ab hujuscemodi conatuum tuorum intentu auctoritate apostolica refrenamus.'

*(b) Struggles with Hincmar of Rheims.*

struggle with Nicolas. Naturally embittered in consequence against the Papal claims, Hincmar readily sided with Charles in his struggles with Hadrian II. When commanded to withdraw from the court of Charles,[1] he wrote that it was an unheard-of thing that the Pope should presume to be king as well as bishop. Earlier Popes had never renounced fellowship with even heretical, apostate, and tyrannical princes, whereas Charles was a Catholic desirous of remaining at peace with the Church, and prepared to defend himself against every charge. He moreover reminded the Pope of what had been done for the Church by the older Frankish monarchs, and how, when Gregory IV. had come into France to disturb the peace of the Church, he had been obliged to return not with becoming honour.[2]

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A new cause of disagreement was soon added, when Hadrian II., following the example of his predecessor, cited Hincmar to appear at Rome for having deposed his nephew, Hincmar of Laon.[3] Again the authority of the decretals was quoted to prove that a definitive judicial sentence in the case of bishops could only come from the Pope; and again Hincmar defended the principles of the older ecclesiastical law against the new code of the Papal monarchy. Again the Pope refused to recognise the provincial synod

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[1] See one severe letter of rebuke addressed to Hincmar, Hadriani II. Epist. xxv. LABBÉ, x. 430: '. . . Restat ut te de tuis 'actibus reprehendere non omittamus.'

[2] NEAND. vi. 123; Hinc. Ep. ad Hadr. A.D. 870 (*Opp.* ed. SIRM. ii. 689; BOUQUET. vii. 537), quoted by GIES. ii. 343.

[3] MILMAN, iii. 209.

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of Douzi,[1] and summoned plaintiff and defendant to appear before a Roman synod. On this occasion Hincmar raised his voice in the strongest language of reprobation against the False Decretals,[2] styling them a compilation of fictions, a poisoned cup besmeared with honey—because the decrees bore the name of venerable bishops—and comparing them with the forbidden fruit, which, promising to our first parents independence and equality with God, involved them in miserable bondage. Hadrian II. had not the same power as Nicolas I. Hincmar had grown stronger, and the whole strength of the Frankish Church, called forth by the recent aggressions on its sovereign,[3] was enlisted in his support.

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[1] Concil. Duziacense, an. 871, LABBÉ, x. 1051.

[2] See the quotations in NEAND. vi. 127.

[3] Thus Hincmar had written to Hadrian in the name of Charles the Bald in HINC. *Op.* ii. 701; and BOUQUET, vii. 542: 'Cogitis 'nos, indecentibus potestati regiae literis vestris inhonoratum, 'inconvenientibus episcopali modestiae vestrae mandatis gravatum, 'contumeliis et opprobriis dehonestatum, aliter quam vellemus 'mente pacifica vobis rescribere: ut tandem animadvertatis, quan-'quam perturbationibus humanis obnoxium, in imagine tamen Dei 'ambulantem esse nos hominem, habere sensum paterna et avita 'successione Dei gratia, regio nomine ac culmine sublimatum, et 'quod his majus est, Christianum, Catholicum, fidei orthodoxae 'cultorem. Valde mirati sumus, ubi hoc dictator epistolae scrip-'tum invenerit, esse apostolica auctoritate praecipiendum, ut Rex, 'corrector iniquorum, et districtor reorum, ac secundum leges 'ecclesiasticas atque mundanas ultor criminum, reum legaliter ac 'regulariter pro excessibus suis damnatum, sua fretum potentia, 'Romam dirigat: maxime autem illum, qui et ante depositionem 'contra custodiam publicam et contra quietem moliri in tribus 'synodis extitit deprehensus, et post depositionem suam a sua 'pervicacia non quievit. Reges Francorum ex regio genere nati,

But Hincmar's success was not a permanent one. The accession of a new and more yielding Pope[1] led Charles to the hope of securing the imperial crown, for which he was willing to make many sacrifices.[2] For such were the advantages which the possession of it conferred even then, that Charles was not scrupulous as to the means by which he obtained it. It was enough for him if his title were established by the sanction of the Pope. It was enough if the other bishops, the ministers of the Holy Roman Church, the senate and people of Rome, approved the election.[3] In his complacency at receiving the new honour, he made no objection when the Pope nominated Ansegis, archbishop of Sens, primate over the French Church and Apostolic Vicar.[4] In vain Hincmar protested against this step, invading the rights of all metropolitans; in vain the bishops, following his lead, declared that

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'non Episcoporum vicedomini, sed terrae domini hactenus fuimus 'computati; et ut Leo ac Romana Synodus scripsit: Reges et 'Imperatores, quos terris divina potentia praecepit praeesse, jus 'distinguendorum negotiorum Episcopis sanctis juxta divalia con-'stituta permiserunt; non autem Episcoporum villici extiterunt.'

[1] John VIII. succeeded Hadrian II. in 872. He was followed by Martin II. in 882. For his life see LABBÉ, xi. 1.

[2] NEAND. vi. 128; MILMAN, iii. 215.

[3] Hadriani Epist. cccxv., LABBÉ, xi. 216: 'Imperium, quod ei 'constat non humano collatum beneficio, licet per mediocritatis 'nostrae ministerium, sed divino . . .' Epist. cccxviii. *Ibid.* 223: '[Carolo] Augustale diadema, sibi divinitus sine dubio collatum, 'per humilitatis nostrae ministerium accipiente.' Synod. Ticin. an. 876, LABBÉ, xi. 282.

[4] NEAND. vi. 128; GIES. ii. 347.

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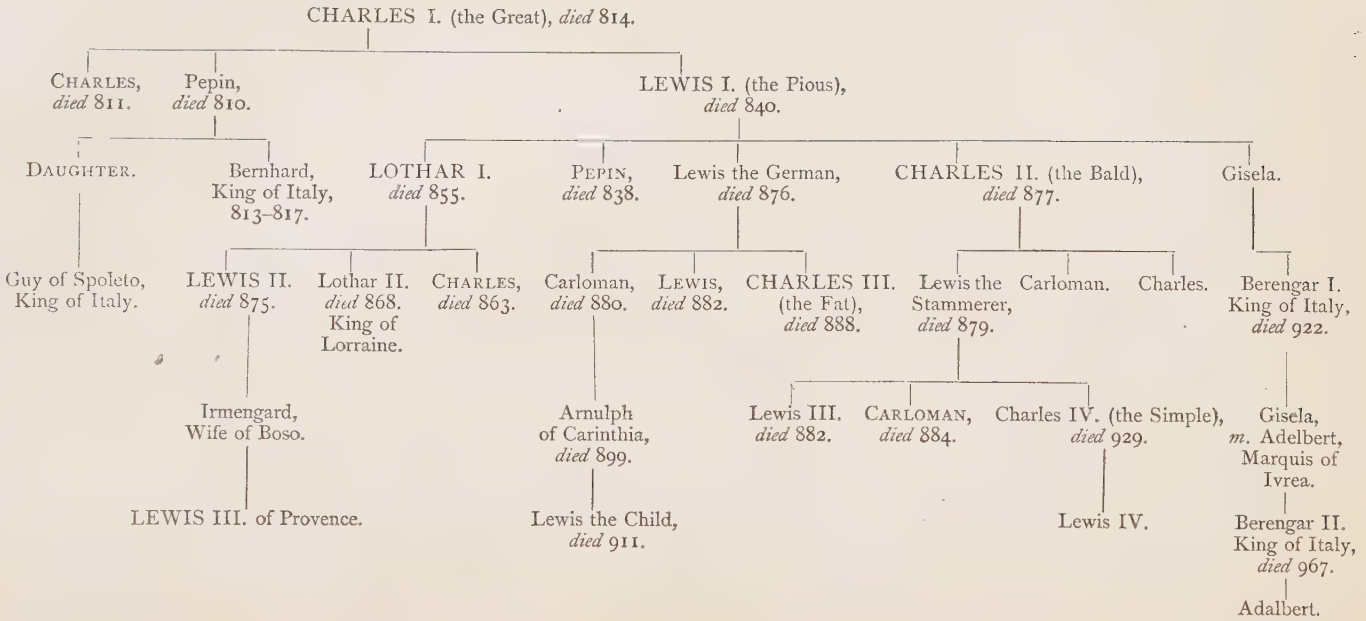
they would only obey the decretals in as far as they were compatible with the rights of metropolitans. John VIII., did not withdraw his vicar, and the king, surrendering the interests of the Church in return for his own advancement, refused to oppose the Papal ordinance.

The Papacy of John VIII. closes over a futile attempt on his part to exercise despotic sovereignty over the bishops of Lombardy; and with the death of John ends the first act in the drama of the Pope's transalpine dominion. That act, beginning under Gregory the Great with the reconciliation of the archbishops of Milan to the Roman See, ended with the excommunication by Rome of an archbishop of Milan, Anspert. The North Italian prelates sided with Anspert, however, in defying Rome's authority. In Provence the clergy paid more deference to John; and this influence had, no doubt, great weight with the ecclesiastics who assembled at Montaille, and assuming the right of founding a new kingdom, elevated Boso to the rank of King of Provence.[1] German and Italian factions were now for a time rival claimants of the Papacy; a season of unsettledness set in which saw the Popes the abject slaves of factions; and political disturbances imparted the contagion of disturbance to the See. Nevertheless, the newly won transalpine territory amply compensated Rome for the loss of respect she sustained nearer home. The devotion of the Western

[1] Concil. Mantalense, an. 879, LABBÉ, xi. 503; MILMAN, iii. 228.

nations became intensified as in Italy disaffection spread. Slowly and in secret the influence of the False Decretals was spreading. If in the night of vice, intrigue, and faction which ensued, Europe still remained true to her spiritual head, no wonder that, when the morning broke, she yielded herself up entirely to his political sovereignty.

# *PEDIGREE OF THE CAROLINGIANS.*


CHARLES I. (the Great), *died* 814.
CHARLES, *died* 811.
Pepin, *died* 810.
LEWIS I. (the Pious), *died* 840.
DAUGHTER.
Bernhard, King of Italy, 813–817.
LOTHAR I. *died* 855.
PEPIN, *died* 838.
Lewis the German, *died* 876.
CHARLES II. (the Bald), *died* 877.
Gisela.
Guy of Spoleto, King of Italy.
LEWIS II. *died* 875.
Lothar II. *died* 868. King of Lorraine.
CHARLES, *died* 863.
Carloman, *died* 880.
LEWIS, *died* 882.
CHARLES III. (the Fat), *died* 888.
Lewis the Stammerer, *died* 879.
Carloman.
Charles.
Berengar I. King of Italy, *died* 922.
Irmengard, Wife of Boso.
Arnulph of Carinthia, *died* 899.
Lewis III. *died* 882.
CARLOMAN, *died* 884.
Charles IV. (the Simple), *died* 929.
Gisela, *m.* Adelbert, Marquis of Ivrea.
LEWIS III. of Provence.
Lewis the Child, *died* 911.
Lewis IV.
Berengar II. King of Italy, *died* 967.
Adalbert.

# CHAPTER V.

## THE NIGHT OF THE PAPACY.

(888—1046.)

*Dixerunt Deo: Recede a nobis, et scientiam viarum tuarum nolumus.*[1]—JOB, xxi. 14.

CHAP. V.

THE darkest period of the history of the Papacy set in at a rapid pace after the death of John VIII.[2] Martin II. and Hadrian III.[3] followed one another in quick succession at Rome, acknowledging, as John had been compelled to do, the sole sovereignty of Charles the Fat,[4] an emperor as utterly contemptible as he was physically great, as physically great as his ancestor of the same name had been intellectually. With the death of Charles, which happened during the episcopate of Stephen V.,[5] the edifice of the Carolingian Empire crumbled away, and went finally to pieces.[6] A

[1] Concil. Roman. an. 983, LABBÉ, xi. 976.

[2] Martin II. succeeded John VIII. in 882. For his life see LABBÉ, xi. 527.

[3] Hadrian III. succeeded Martin II. in 884 and held the Papacy for one year. For his life see LABBÉ, xi. 531.

[4] See the genealogy in ch. iv. p. 112 (note). He died an. 888.

[5] Stephen V. succeeded Hadrian III. in 885, and was succeeded by Formosus in 891. For his life see LABBÉ, xi. 540.

[6] The empire of the Carolingians had lasted eighty-eight years from the coronation of Charles. The Emperor Otho III. revived

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period of anarchy ensued both for the Empire and the Papacy, the former being distracted by the feuds of the Babenbergers and Rothenburgers, until the

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the Empire of the West in the year 962. The state of things after the death of Charles the Fat, 887, may be best gathered from the following table, remembering that whilst Charles the Fat was emperor, Charles the Simple was king of Germany, and Louis III. and Carloman were kings of France.

| THE WESTERN EMPIRE | | FRANCE |
|---|---|---|
| DATE | DATE | DATE |
| 884. CHARLES the Fat, Holy Roman Emperor, *died* 887. | 880. Charles the Simple, King of Germany | 879. Louis III. and Carloman, kings until 884 |
| 888. Arnulf Emperor in GERMANY | Guido and Berengar Emperors in ITALY | 888. Eudes |
| | | 898. Charles the Simple, *died* 923 |
| 900. LEWIS III. (of Provence) *died* 912 | 899. Lewis the Child, *died* 904 | |
| | 904. BERENGAR restored, *died* 922 | |
| 912. Conrad I. *died* 920 | | |
| 919. Henry I. (the Fowler) | 923. Rodolf of Burgundy | 923. Rodolf, *died* 936 |
| | 926. Hugh of Arles | |
| 936. OTTO I. (the Great) | . . . . | 936. Louis IV. d'Outre Mer, *died* 954 |
| | 947. Lothair | |
| | 950. Berengar II. until 964 | 954. Lothair, *died* 986 |
| 964. REVIVAL OF THE HOLY ROMAN EMPIRE BY OTTO I. | | |
| 973. OTTO II. *died* 983 | | |
| 983. OTTO III. *died* 1002 | | |
| | | 986. Louis V. le Fainéant, *died* 987 |
| | | 987. HUGH CAPET, *died* 996 |
| | | 996. Robert I. |
| 1002. HENRY II. (the Saint), *died* 1024 | | |
| 1024. CONRAD II. (the Salic) *died* 1039 | | |
| | | 1031. Henry I. *died* 1060 |
| 1039. HENRY III. *died* 1056 | | |

election of Henry I.,[1] the latter being for more than 150 years tossed about in the sea of Italian party strife, the darkness of the surrounding vice being only from time to time relieved by the lustre of the virtues of individual Popes, whom the greater emperors of the house of Saxony placed in the chair of St. Peter. No such intervention, however, took place during the first seventy years, nor were the visits of Arnulf to Italy attended with any definite influence on the Roman Church. For seventy years the Popes were creatures of rival parties,[2] nominated by the party which, for the time being, happened to be in the ascendant, obliged to give their spiritual sanction to its objects, obtaining their Pontificate by crime, vacating it by murder, and receiving the fatal dignity of the See, only to lose it as rapidly as it had been won.

CHAP. V.

A.D. 911

A. *The Popes under the rival Italian parties.*

A.D. 888–962

During the first twenty years, the struggle lay between the party of the Duke Guido of Spoleto on the one hand, and that of Berengar of Friuli on the other, each of whom, on the death of Charles the Fat, aspired to the imperial dignity, as being the representatives of Charles the Great. Around

(1) *Party of Guido of Spoleto and his son Lambert in the ascendant.* 888–904

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[1] See NITHARDUS, De dissensionibus Ludov. PII, lib. IV.; and REGINONIS *Chronicorum* ll. ii.

[2] The spirit of faction had previously shown itself in Italy, the Frankish and the Italian or national party disputing the pre-eminence. Stephen V. in 885 was chosen by the national party: 'Unde,' say the *Annales Fuldenses* ap. PERTZ, i. 402, 'Imperator 'iratus, quod eo inconsulto illum ordinare praesumserunt, misit 'Liutwartum et quosdam Romanae sedis Episcopos, qui eum 'deponerent; quod perficere minime potuerunt.'

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Guido, who at first formed the wild hope of succeeding peaceably to the transalpine dominions of Charles, and had, it was said, accordingly entered into an amicable arrangement with Berengar, by which Berengar was to have the cisalpine dominions, the dukes and dependants of Spoleto, Camerina, and Tuscany rallied; the Lombards and the north of Italy generally were on the side of Berengar. Two
A.D. 889 bloody battles were fought, but when victory had declared itself in both on the side of Guido, he was elected by the bishops king of Italy,[1] and crowned
891 by Stephen V. emperor at Rome.[2] The same dignity was conferred on his son Lambert, by Pope
892 Formosus;[3] and although, on the appearance of
896 Arnulf in Rome,[4] Formosus declared the inaugura-

[1] Concil. Ticinens. an. 889, Can. 12, LABBÉ, xi. 607: 'Post 'obitum recordandae memoriae domini Caroli gloriosi Impera- 'toris et Senioris nostri quot quantaque pericula huic Italico regno 'usque in praesens tempus supervenerint, nec lingua potest evol- 'vere, nec calamus explicare: ipsis denique diebus quasi ad cer- 'tum signum supervenerunt qui pro hoc regno ut sibi volentes 'nolentesque adsentiremus, minis diversis et suasionibus inlectos 'furtive ac fraudulenter adtraxerunt. Sed quia illi superveniente 'perspicuo Principe Widone bis jam fuga lapsi ut fumus evanue- 'runt, nosque in ambiguo reliquerent . . . necessarium duximus 'at mutuum colloquium . . . convenire, ibique . . . decrevimus 'uno animo eademque sententia praefatum magnanimum Princi- 'pem Widonem ad protegendum et regaliter gubernandum nos in 'regem et seniorem nobis eligere et in regni fastigium Deo miser- 'ante praefigere.'

[2] *Annal. Fuldens.* ad. an. 891.

[3] Formosus succeeded Stephen V. an. 891, and was followed by Stephen VI. an. 896. His life in LABBÉ, xi. 612; see MILMAN, iii. 238.

[4] MILMAN, iii. 240.

tion of Lambert invalid on the ground that it had been extorted by compulsion, and crowned Arnulf emperor in his place, nevertheless, the title of Lambert was recognised at Rome in the time of John IX., and the coronation of Arnulf was rejected with scorn.[1] Lewis of Provence was also crowned emperor by Benedict IV.,[2] in the year 901.

A.D. 898

(2) *Ascendency of Berengar.* 906–922

These successes of the party of Guido and his son Lambert, chequered as they had been by occasional reverses, were destined after the death of Lambert to be succeeded by permanent depression, which gave to the party of Berengar the lead for the time being, and ultimately, on the death of his rival, Lewis of Provence,[3] transferred to his hands the whole sovereignty of Italy. The turning point in the fortunes of Berengar is marked by the accession of Sergius III., in the year 904. This ecclesiastic had already been twice a candidate for the tiara—once at the election of Formosus, and again at that of John IX., and, after seven years of exile in Tuscany, had succeeded, by the help of the Tuscan duke, Adalbert, in driving Christopher from Rome after a seven months' episcopate, and placing himself

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[1] MILMAN, iv. 244.

[2] Formosus was Pope from 891–896 A.D. He was succeeded by Stephen VI. 896–897 A.D. whose life in LABBÉ, xi. 663. Romanus followed Stephen VI. 897–898; then Theodore, 898, died 898; John IX. 898–900; and Benedict IV. 900–903 A.D. After Benedict IV. came Leo V. 903; Christopher 903–904; and Sergius III. 904–911. Their lives in LABBÉ, xi. 663 *seq.*

[3] After the death of Lambert, an. 898, the Spoletan party had put forward Lewis of Provence as their champion, and he was crowned emperor by Benedict IV. at Rome, 901 A.D.

PART I.

on the seat which he had occupied. The triumph of Berengar was, however, secured by the terror of the Mahommedan invasion. In answer to an appeal of the enterprising and highly-gifted, but immoral,[1] Pope, John X.,[2] who, to support the cause of suffering Christendom, resolved to invoke the aid of both the Eastern and Western emperors, Berengar, as the undisputed aspirant to the Empire, repaired in person to Rome. There[3] he was met by the senate with flying banners, singing his praises in the Latin tongue, by the schools of strangers, each paying their homage to the emperor elect in their native dialect, by the brother of the Pope, Peter, representing the Roman nobles, and by the son of Theophylact bearing the proud title of consul of Rome. Alighting from the Pope's white horse, on which he had ridden according to custom, he ascended the steps of St. Peter to the spot where John X. was seated awaiting his arrival. There he was cordially received by the Pope, and saluted with a kiss. He swore to maintain the privileges and possessions of the Church, and, in return, received from John X. the imperial crown. The donations of Pepin and Charles were read, and the Pope, placing himself at the head of the army, rode forth with the emperor in array to battle.

A.D. 914–928

March 24, 916

[1] The infamous Theodora is said to have been his mistress.

[2] Sergius III. was succeeded in 911 by Anastasius III. His life in LABBÉ, xi. 775. Two years later, an. 913, Anastasius was followed by Laudo. See LABBÉ, xi. 777. In the following year John X. was elected and held the see from 914 to 928. For his life see LABBÉ, xi. 779.

[3] MILMAN, iii. 291.

CHAP. V.

(3) *Ascendency of the Tuscan party.*

A.D. 922–962

Meantime, a third party, led by Adalbert,[1] Margrave of Tuscany, had been growing up in Italy, aided by the notorious Theodora, and her equally abandoned daughters, Marozia and Theodora, and destined soon to wrest the power out of the hands of Berengar of Friuli, and to wield an almost absolute sovereignty over Rome, and over the Papacy. Already, by the help of Adalbert, the second of that name, one of the richest Italian nobles, and at first, until alienated by his wife Bertha, a faithful supporter of Berengar, the See of Rome had been secured for Sergius III. The succeeding Popes were the nominees of this party.[2] Soon after the death of Adalbert II., however, his widow Bertha, and her son Guido,[3] had become involved in a quarrel with the emperor Berengar, from which Berengar was only relieved by the murderer's hand.[4] But, before the death of Berengar 922

[1] Adalbert II., surnamed the Rich, was the son of Adalbert I. and the grandson of Boniface, Count of Lucca and Marquis of Tuscany in the time of Charles. Adalbert's influence was great owing to his marriage with Bertha, the illegitimate daughter of King Lothar II. by his concubine Waldrada. MILMAN, iii. 286.

[2] Besides these already mentioned, viz. Anastasius III. 911–913; Lando, 913-914; and John X. 914–928, the following Popes were nominated by this party: Leo VI. 928–929; Stephen VII. 929–931 A.D.; John XI. 931–936; Leo VII. 936–939; Stephen VIII. 939–943; Martin III. 943–946; Agapetus II. 946–955; and John XII. 955 and deposed 963. Their lives in LABBÉ, xi. 799 *seq.*

[3] Guido was the son of Bertha by her husband Adalbert II. Bertha had another son, however, Hugh of Provence, by her former husband. Hugh was, therefore, the step-brother of Guido. Marozia was the mistress of Guido. MILMAN, iii. 297.

[4] MILMAN, iii. 294.

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had placed Italy entirely at the mercy of the Tuscan party, that party was secretly intriguing for obtaining dominion over Rome by the aid of the infamous Theodora and Marozia, who, not content with disgracing the chief city of Christendom by their licentiousness for many years, placed their profligate paramours or base-born sons in the chair of St. Peter. The archbishopric of Ravenna and the

A.D. 914–928

See of Rome in succession were secured to John X., by the influence of his paramour, the elder Theodora.[1] The vices of her daughter Marozia raised up a rival

925

to him for the mastery of the city in the person of her lover, the Marquis Alberic,[2] and by the aid of a new lover deprived him of his see and of his life.[3] When her paramour, Pope Sergius III., had died, Marozia replaced an ecclesiastic by a warrior, the Marquis Alberic; on the death of the Marquis Alberic she wedded the rich Margrave of Tuscany, Guido; and at his death she offered herself and the city of Rome to the new king of Italy, Hugh of Provence, the step-brother of her late husband. One

931–936

of her sons, John XI., the offspring of Pope Sergius III., was raised to the Papal throne; another,

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[1] MILMAN, iii. 289.

[2] *Ibid.* 293: 'Alberic, the paramour of Marozia, was the father of the Alberic who was afterwards tyrant of the city. He died soon afterwards, and Marozia supplied his place with a new lover, Guido the son of Adalbert II. Marquis of Tuscany. On the death of Guido, Marozia again gave her hand to his step-brother, Hugh of Provence.

[3] This is stated on the authority of Liutprandi *Antapodosis*, ii. 48; PERTZ, v. 297. Nevertheless, the fact has been disputed. See MILM. iii. 287; GIES. ii. 351.

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A.D. 932–954

Alberic, the son of the Margrave Alberic, offended with the haughty conduct of his step-father Hugh, possessed himself of the chief power as patrician and senator of Rome, and confined his elder brother, the Pope, a prisoner, only permitting him to appear in public to perform his spiritual functions. Pope followed Pope—Leo VII., Stephen VIII., Martin III., Agapetus II.—appointed by the sole nomination of Alberic—all equally powerless, all without either dignity or morals; and at length, on the death of Alberic, his son Octavian, though only nineteen years of age, aspiring to unite the spiritual and civil powers in his own person, administered the secular government of Rome by the name of Octavian, whilst as John XII. he disgraced the Papal dignity by the most shameless excesses, adultery, rape, and even incest. To such depths of degradation had the Papacy been reduced.

Meantime, the dukedom of Tuscany passed from Guido to his brother Lambert,[1] from Lambert, by the treachery of Hugh of Provence, to Boso, brother of Hugh. Successful by fraud and by force, but scorning alike ecclesiastical and moral control, Hugh was undisputed king of Italy, a sovereign everywhere else except in Rome.[2] On the death of Hugh, the 947
kingdom descended to his son Lothar; on his decease, it anew changed its sovereign, passing into the hands of Berengar II., Margrave of Ivrea, and his son Adalbert, successively. The condition of Italy and of Rome, of the kingdom and the Papacy,

[1] Milm. iii. 297.

[2] *Ibid.* 300.

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seemed utterly hopeless, when the renewed intervention of a transalpine monarch restored decency to the Papacy, Italy to the Empire, and founded afresh the Holy Empire, which had been really in abeyance since the death of the last of the Carolingians.[1]

B. *Imperial intervention.*

A.D. 962–1002

(1) *Intervention of Otto I.*

962–973

(*a*) *Causes*

Many causes combined to bring about the intervention of the great Saxon monarch, Otto I.[2] As early as the year 951, that chivalrous king had rescued and married the beautiful Adelheid, the widow of Lothar, the son of Hugh of Provence.[3] After having been cruelly persecuted by Berengar II., who had thereby hoped to compel her to accept the hand of his son Adalbert, she had been rescued by Otto, and had given her hand to her benefactor in return. By right of inheritance, Otto had obtained with her hand the

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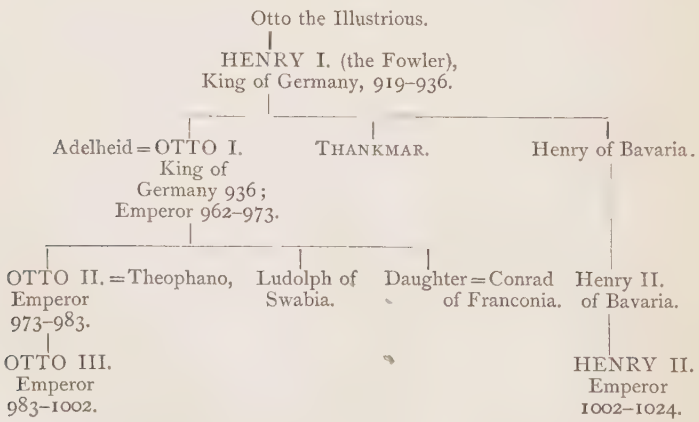
[1] Consult as authorities for the above MILMAN, book v. ch. xi.; NEAND. vi. 129; GIES. ii. 350.

[2] The genealogy of the house of Saxony is as follows:


Otto the Illustrious.
HENRY I. (the Fowler), King of Germany, 919–936.
Adelheid = OTTO I. King of Germany 936; Emperor 962–973.
THANKMAR.
Henry of Bavaria.
OTTO II. = Theophano, Emperor 973–983.
Ludolph of Swabia.
Daughter = Conrad of Franconia.
Henry II. of Bavaria.
OTTO III. Emperor 983–1002.
HENRY II. Emperor 1002–1024.

[3] See MILMAN, book v. ch. xii.; vol. iii. 306 (small edition).

kingdom of Italy, which he now granted Berengar II. and Adalbert as vassals. Under their oppressive rule the Italians groaned; the son of Otto, Ludolf, was despatched for their deliverance, and met his death either by fever or treachery; the excesses of Berengar increased, and the cry for the intervention of the Germans waxed louder and louder. Once when Alberic reigned supreme at Rome the presence of a stranger was not permitted there; at his dictation the Pope had declined to receive the German Otto or to bestow the imperial crown. Far otherwise thought Alberic's son, John XII.[1] Acting at once as patrician and Pope,[2] he no sooner found himself threatened by Berengar II. than he joined the Archbishop of Milan and the Italian princes in appealing to Otto for succour. At Pavia Otto was crowned king of Italy; at Rome he was anointed emperor of the West; Otto swearing to protect the Roman Church against her enemies, to restore her lands and possessions, and to make no change in the government of Rome without the sanction of the Pope; John XII. and the Roman people swearing on the body of St. Peter to be faithful to the emperor, and to abandon all connection with Berengar and Adalbert.

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(*b*) *Coronation of Otto I.*

Never did a more important event in history take place making less impression on those who witnessed it, and less commemorated by subsequent historians, than the coronation of Otto I. at Rome in the year

A.D. Feb. 962.

[1] John XII. was Pope from 955 until he was deposed by Otto an. 963.

[2] MILMAN, iii. 304.

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962. By the coronation of Charles, one hundred and sixty-two years earlier, the first foundations had been laid for the Holy Empire; by the coronation of Otto, that Empire itself was founded afresh, and from that time forward it had an uninterrupted existence. A step, which in the time of Charles had been warranted by exceptional circumstances, and which was then a tentative measure, was now deliberately repeated, and continued henceforth to be repeated as one of the greatest safeguards to the possession of power. One hundred and sixty years had strangely obliterated all memories of dependence on an Eastern Empire. Since that time the ceremony of coronation had been frequently witnessed. An act which had been done in the first instance to gain the protection of the Franks against the Lombards, was now revived to put an end to the troubles of Italy. What had there been an ecclesiastical movement, or at least a private arrangement between a sovereign and a prelate, was now a popular one. Moreover the feelings with which Otto received the imperial crown were very different from those with which Charles had received it. Charles was glad to have the sanction of religion to assure his doubtful title to his recent conquests, and though aspiring to the crown, received it as a gift for which he amply rewarded the Pope. Otto appeared in Rome to claim it as a customary right. There could be no appeal to precedent to impose terms upon Charles since the ceremony of coronation was then entirely new. Otto, before he received the privilege to which he claimed to be entitled, was made to swear to protect the rights of the Roman Church.

CHAP. V.

*(c) Effects of that intervention.*

*(a) Deposition of John XII.*

A.D. 963

The coronation of Otto introduced a new power into Italy to correct the enormous scandals of the Roman Church; and as long as Otto I. continued to sit on the imperial throne, that power was able to triumph over all opposition. Whatever might be professed, there could be no doubt that Otto exercised a very real power. Not the least proof of this power is an event which happened in the year following his coronation, when the emperor summoned an ecclesiastical council, and the Archbishops of Milan, Ravenna, and Hamburg, besides two German, two French metropolitans, and a great number of Italian bishops, assembled at his bidding to sit in judgment on Pope John XII. Still less doubt could there be of his power when, after a trial, in which the blackest charges were preferred against the Pope,[1] and in the teeth of John's laconic letter

[1] Concil. Roman. an. 963, LABBÉ, xi. 881: 'Petrus Cardinalis 'presbyter, se vidisse illum Missam celebrasse, et non communi- 'casse, testatus est: Joannes episcopus Narniensis et Joannes 'cardinalis diaconus, se vidisse illum diaconum ordinasse in equo- 'rum stabulo non certis temporibus sunt professi. Benedictus 'cum ceteris condiaconis et presbyteris dixit se scire quod ordi- 'nationes episcoporum faceret pretio, et quod armorum decem 'episcopum in Tudertina civitate ordinarit. De sacrilegio non est 'necesse percontari, quia plus videndo et quam audiendo scire 'potuissemus. De adulterio, dixerunt quod oculis non viderant, 'sed pro certo scirent, viduam Rainarii, et Stephanam patris con- 'cubinam, et Annam viduam, cum nepte sua abusum esse, et 'sanctum palatium lupanar et prostibulum fecisse. Venationem 'dixerunt publice exercuisse, Benedictum spiritualem patrem 'suum lumine privasse et mox mortuum esse: Joannem cardi- 'nalem subdiaconum, virilibus amputatis, occidisse: incendia fe- 'cisse; ense accinctum, galea et lorica indutum fuisse testati sunt. 'Diaboli in amorem vinum bivisse omnes tam clerici quam laici

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to the council[1]—'John, the servant of God, to all bishops: we hear that you design to elect a new Pope; if you do, in the name of God I excommunicate you, forbidding you to confer orders or celebrate mass'—the emperor deposed the Pontiff, sanctioned the election of a new Pope, Leo VIII.,[2] and upheld his nominee in office in spite of all the opposition of John and his successor Benedict V.[3]

Dec. 4, 963

(β) *Suppression of three rebellions.*

For Rome would not submit to the authority of a German prince until she was forced to do so after many a revolt; revolts in which John XII., before his pontifical career was closed by the sword of an injured husband,[4] not less than Benedict V., whom the people elected to succeed him, made common cause with the citizens, and were by them supported against the emperor Otto. Thrice Rome rebelled, and was as often reduced by the might of the transalpine king. Within a month after the deposition of John XII. a furious insurrection broke out, and was subdued by the valour of Otto, who forcing the barricades of the bridge over the Tiber, took his revenge

A.D. Jan. 3, 964

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'acclamarunt. In ludo aleae, Jovis, Veneris, ceterorumque dae-'monum auxilium poposcisse dixerunt. Matutinas et canonicas 'horas eum non celebrasse, nec signo crucis se muniisse professi 'sunt.'

[1] Joan. Ep. LABBÉ, xi. 882: 'Nos audivimus dicere, quod vos 'vultis alium Papam facere. Si haec feceritis, excommunico vos 'de Deo omnipotenti, ut non habeatis licentiam ullum ordinare, 'et Missam celebrare.'

[2] Leo VIII. was elected an. 963. He is not recognised by the ultramontane party as a lawful Pope.

[3] On the death of John XII. an. 964, Benedict V. was appointed by the Roman party. He surrendered to Otto an. 965, and ended his life in exile at Hamburg. MILMAN, iii. 313; LABBÉ, xi. 891.

[4] MILMAN, iii. 313.

until the supplications of the new Pope arrested the carnage. Not two months later, on the return of John XII. to the city, a fresh insurrection burst forth, which was as quickly suppressed by Otto. Benedict V. was deposed and sent into exile. And again, not two years later, when John XIII.,[1] elected by command or at least with the approbation of the emperor, had succeeded Leo VIII., the barons and people, dissatisfied with his haughtiness, expelled him from the city, and Otto for the third time descended the Alps. Yet such was the terror inspired by his approach, that a counter insurrection ensued in favour of the Pope, and both John XIII. and Otto were received with hymns of joy and gratulation.

Feb. 27, 964

Dec. 16, 965

(γ) *Privileges secured to emperor.*

It was on this occasion that the power of Otto over the Pope and the city appears in the strongest relief. After the second rebellion had been quelled, the grateful Leo VIII. had recognised in a council the full right of the Emperor Otto and his successors in the kingdom of Italy to elect their own successors to the Empire and to approve the Pope,[2] declaring that this right should belong for ever to the king of the Roman Empire, and to none else. On Otto's third appearance in Rome, the Roman magistrates who had dared to assume the names of the old republican dignities paid the penalty of the insult offered to the Empire. The body of the prefect who had expelled John XIII. was dug up out of his grave and torn to pieces; the consuls were banished beyond the Alps; the twelve tribunes were hanged;

June 23, 964

[1] John XIII. succeeded Leo VIII. an. 965, and was followed by Donus II. an. 972, and Benedict VI. an. 972.

[2] Milm. iii. 313.

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the actual prefect was set upon an ass with a wine bag on his head, led through the streets, scourged, and thrown into prison. The government of the city was entrusted to the Pope as viceroy,[1] and during the five remaining years of his pontificate, by the overawing influence of Otto, a considerable degree of order was preserved at Rome.

(2) *Ascendency of Tuscan party.*

A.D. 973–996

(*a*) *During reign of Otto II.*

It was otherwise after the death of Otto I., and the decease of John XIII., both of which events took place within eight months of each other.[2] The Tuscan party elevated itself anew. By the influence of that party Benedict VI. was cast into prison and murdered; by the influence of the same party, Benedict VII.,[3] the nephew of the famous Alberic,

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[1] MILM. iii. 315.

[2] John XIII. died September 7, 972, Otto I. died May 7, 973.

[3] GIES. ii. 355 (note); MILM. vii. 317.

The succession of Popes and Antipopes in this period is as follows:

| Popes | Antipopes |
|---|---|
| John XII. 955: deposed 963. | ... |
| Leo VIII. 963. | *John* XII. 963, continues as rival Pope until 964. |
| ... | *Benedict* V. 964, rival Pope retires into exile. |
| John XIII. 965. | ... |
| Donus II. 972. | ... |
| Benedict VI. 972: murdered 974. | |
| | *Boniface* VII. 974, expelled by the people, 974; returns as regular Pope on the death of Otto II. |
| Benedict VII. 974. | ... |
| John XIV. 983: died in prison, 984. | |

was elevated to the Papal chair after the one month's episcopate, and the summary ejectment by the people of Boniface VII. By the same party the Roman republic was anew re-established, acknowledging as its head the Consul Crescentius, the grandson, it is said, of the elder Theodora and Pope John X., the son of the younger Theodora, and the cousin of Alberic.[1] Nevertheless, Otto II. maintained to some extent the imperial dignity during his ten years' reign. He had been crowned by John XIII. in his father's lifetime. To his protection, no doubt, Benedict VII. owed his nine years' peaceful possession of the See, and by his intervention the election of John XIV. was secured in the same year in which he himself died. A.D. 983

(*b*) *During minority of Otto III.*

During the minority of Otto III., the Tuscan party exercised undisputed sway in Rome, without any check from without. No sooner was Otto II. dead, than Boniface VII. reappeared from exile, and having seized his rival, John XIV., and put him to death by starvation, for two years occupied unresisted the Papal chair.[2] No one offered opposition: for John XIV. was hated as an imperial nominee. Nevertheless, Boniface VII. was not a friend of the Tuscan party. The party of Crescen- 983-994 984 985

| Popes | Antipopes |
|---|---|
| Boniface VII. 984. | ... |
| John XV. 985. | ... |
| Gregory V. 996: dies 999. | *John* XVI. 997. |
| Sylvester II. 999. | ... |

[1] MILM. iii. 320.

[2] GIES. ii. 355; MILMAN, iii. 317.

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tius rejoiced, on his sudden death, at being delivered from a Pope whose one claim on their allegiance was, that he was as bitter an enemy as themselves of the imperial interest. By the people his dead body was treated with insults.[1] The Castle of St. Angelo, lately occupied by the Pope, was now in the hands of Crescentius, and Crescentius was in consequence undisputed master of the city. But Boniface's successor in the Pontificate, John XV., not proving as pliant as the consul desired, was driven from Rome, and reduced to the necessity of again appealing to the transalpine sovereign.[2]

(3) *Intervention of Otto III.*

A.D. 996–1002

(*a*) *Earlier influence.*

Meantime the name of the great House of Saxony was not altogether forgotten, nor was the remembrance of the first Otto and the Germans quite extinct in Italy. When, therefore, John XV. had found in the youthful Otto a sympathiser with his complaints against a contumacious people, and the rumour had spread that the young monarch was about to come to Rome, there to receive the imperial crown, the Pope was permitted to return.[3] He was received with the utmost respect by the consul and the senate, and remained undisturbed for the rest of his life in possession of his temporal supremacy.

987

996

When at length Otto III. set forth to cross the Alps, he was received at Ravenna[4] by an embassy, announcing the sudden death of John XV., and humbly submitting to the wishes of the emperor as to the appointment of a successor. The gentle,

[1] Milm. iii. 318.
[2] *Ibid.* 319.
[3] *Ibid.* 320.
[4] *Ibid.* 322.

CHAP. V.

blameless, spiritual Bruno, a kinsman of Otto III., who succeeded by his appointment, taking the name of Gregory V.,[1] stands out in marked relief from the long list of worthless Popes who had preceded and succeeded him, proving how advantageous for the Church the emperor's influence might be, but proving at the same time how incapable the Romans were of appreciating real virtue. On May 3, 996, Gregory V. bestowed the imperial crown on Otto III. A year had not elapsed before he was obliged to flee from Rome; his excommunication was treated with scorn by the rebellious citizens; and a fresh Pope, John XVI., had usurped his place, nominated by Crescentius.

*(b) Appointment of Gregory V.*

A.D. 996–999

996

May 3, 996

Again the young and chivalrous emperor, Otto III. —the wonder of the world, full of promise, talent, and projects—was in Rome with an overwhelming force. Again he was received without the least resistance. The usurping Pope was punished more severely than the usurping prefect had been in the time of Otto I., and with eyes put out, with tongue and nose cut off, was paraded through the streets on an ass, with his face to the tail, and a wine-bladder on his head. Such was the penalty for his audacity.[2] Crescentius, with twelve of his leading partisans, was beheaded; and their bodies, with their heads downwards, hung round the battlements of the Castle of St. Angelo. The rebellion was quenched.

*(c) Punishment of rebellious Romans.*

[1] Gregory V. succeeded an. 996, and died 999. See GIES. ii. 358; MILMAN, iii. 322.

[2] MILMAN, iii. 326.

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The emperor was victorious, and exercised undisputed sway in the city of the Caesars.

At this moment a grand scheme rose before his mental vision.[1] Rome was to occupy again her ancient place as the seat of Empire. An emperor was to sit on the throne of Constantine who would govern like Constantine, and raise the Empire once more to the pinnacle of power. A truly Apostolic Pope was to be appointed, a second Sylvester who would reform the clergy and correct the infamous avarice and vice of the Roman Church.

*(d) Appointment of Sylvester II.*

A.D. 999–1003

On the death of Gregory V. that scheme seemed about to be realised. The decree issued by Otto III. for the election of his tutor Gerbert, who assumed the name of Sylvester II., in allusion to the relations of Constantine and Sylvester I., declared Rome to be the capital of the world, the Roman Church to be the mother of Churches; it described how the dignity of the Roman Church had been obscured by her neglectful Popes, how the property of the Church had been squandered on the dregs of mankind, how the prelates had made everything venal, and so despoiled the very altars of the Apostles. It denounced the donations of Constantine and Charles the Bald as void and forgeries; it assumed the power not only of electing, but, by God's grace, of creating and ordaining the Pope, and it granted eight counties for his support.[2] The millennial

[1] MILMAN, book v. ch. xiii.; vol. iii. p. 328 (small edition).

[2] Ottonis III. diploma, an. 999 ap. BARONIUM ad an. 1191, No. 57; PERTZ, iv. ii. 162: 'Romam caput mundi profitemur, 'Romanam ecclesiam matrem omnium Ecclesiarum esse testamur,

period of the Christian era was to see all old abuses swept away, and the new régime established.[1] The new age was to begin with a new Constantine and a new Sylvester. The year 1000 was to inaugurate the change. But how vain are the schemes of men! The looked-for year came. It found Otto III. indeed at Rome, with a palace built on the Aventine, with a regular administrative system for the government of the capital established. It found his

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'sed incuria et inscientia Pontificum longe suae claritatis titulos 'obfuscasse. Nam non solum quae extra urbem esse videbantur 'vendiderunt, sed, si quid in hac nostra urbe regia habuerunt, ut 'majori licentia evagarentur, omnibus cum vindicante pecunia in 'commune dederunt, et sanctum Petrum et sanctum Paulum, ipsa 'quoque altaria spoliaverunt, et pro reparatione semper confusio-'nem duxerunt. Confusis vero Papaticis legibus, et jam abjecta 'ecclesia Romana in tantum quidam Pontificum irruerunt, ut 'maximam partem Imperii nostri apostolatui suo conjungerent. 'Haec sunt enim commenta ab illis ipsis inventa, quibus Joannes 'Diaconus, praeceptum aureis literis scripsit sub titulo magni Con-'stantini longa mendacii tempora finxit. Haec sunt enim com-'menta, quibus dicunt, quondam Carolum sancto Petro nostra 'publica tribuisse. Sed ac haec respondemus ipsum Carolum 'nihil dare jure potuisse, utpote jam a Carolo meliore fugatum, 'jam imperio privatum, jam destitutum et annullatum. Spretis 'ergo commentitiis praeceptis, et imaginariis scriptis ex nostra 'liberalitate sancto Petro donamus quae nostra sunt. . . . Sicut 'enim pro amore sancti Petri dominum Sylvestrum magistrum 'nostrum Papam elegimus, et Deo volente ipsum serenissimum 'ordinavimus et creavimus: ita pro amore ipsius domini Sylvestri 'Papae, sancto Petro de publico nostro dona conferimus, octo 'comitatus, Pisaurum, Fanum, Senogalliam, Anconam, Fossabru-'num, Callium, Esium et Ausimum.' Conf. also Constitutio De-'cretalis Ottonis III. apud LABBÉ, xi. 1031.

[1] Other bishops took up the idea of universal peace. See Statuta per Widonem Aniciensem episcopum, an. 1000, ap. LABBÉ, xi. 1043, and below ch. vi. on the Truce of God.

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tutor, Sylvester II., on the chair of St. Peter to second and direct him. Before three years both of them were dead, the victims of the consummate art of the beautiful but injured Stephania.[1] Well may the collapse of the great scheme of Otto III. and Sylvester II. strike a blank into every ambitious soul! Well may the sad tale of Otto draw forth a passing tear, as it rings even yet faintly in the pages of many a chronicler, lingering with fondness over the young emperor's memory.[2] 'Two years had not passed since, setting out on his last journey to Rome, he had opened the tomb of Charles in the basilica at Aachen, had gazed on the great emperor sitting on a marble throne, robed and crowned with the gospel-book before him, and there, touching the dead hand, unclasping from the neck its golden cross, had taken, as it were, an investiture of empire from his Frankish forerunner.' Two years later, he was himself borne by his lamenting followers across the Alps a corpse, and buried in the choir of Aachen, beneath the dome,

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[1] MILMAN, iii. 346, 348.

[2] MILMAN (iii. 347) quotes from Höfler the plaintive poem on the death of Otto. It shows the popular feeling. It is as follows:

'Quis dabit aquam capiti?
Quis succurret pauperi?
Quis dabit fontes oculis?
Lacrymosis populis
Sufficientes lacrymae[s]
Mala mundi plangere?

'Ad triumphum ecclesiae
Coepit Otto crescere:
Sumsit Otto imperium
Ut floreret saeculum:
Vivo Ottone tertio
Salus fuit populo.
. . . . .
'Plangat ignitus Oriens,
Crudus ploret Occidens:
Sit aquilo in cinere,
Planctus in Meridie.
Sit mundus in tristitia,
Nostra luge cithara.
Plangat mundus, plangat Roma,
Lugeat Ecclesia.'

CHAP. V.

some twenty paces from the tomb of Charles.[1] The death of Otto put an end to all attempts at reform. For none but Otto in that lawless age rose above his surroundings, to project a new era of improvement. None but his tutor, Sylvester II., could sympathise with his projects. When, comet-like, these two luminaries had darted across the heaven and disappeared, the darkness of night grew thicker than before.

C. *Ascendency of Tuscan party.* A.D. 1002–1046 (1) *John XVII., John XVIII., Sergius IV.*

Even in the lifetime of Otto III., the association with Germany was hateful to the Italians.[2] Had it not ever been so since the days of Charles? On Otto's death the German dominion was cast off, and the Tuscan party were again triumphant. Three undistinguished Popes, John XVII., John XVIII., Sergius IV.,[3] ruled for ten years of obscurity, during

[1] Quoted from BRYCE's *Holy Roman Empire*, p. 162, 3, and based on *Alberici Chron.* ad an. 1002 (quoted by GIES. ii. 360): 'Milites transalpini corpus Imperatoris defuncti cum in-'signibus Imperii ad Galliam [Germaniam] transferentes, crebris 'Italorum incursibus laccessiti armis sibi viam parant.'

[2] Conf. the Roman fragments in the *Rheinisches Museum für Jurisprudenz*, v. 131 (quoted by GIES. ii. 360): 'Postquam pecca-'tis nostris exigentibus Romanorum imperium barbarorum patuit 'gladiis feriendum, Romanas leges penitus ignorantes illiterati ac 'barbari judices legis peritos in legem conantes jurare, judices 'creavere. . . . Comes enim illiteratus ac barbarus nescit vera a 'falsis discernere et ideo fallitur.' *Alberici Chron.* ad an. 1002 (ed. LEIBNIT. ii. 26): 'Otto Imperator degens Romae, dum cum 'Romanis remissius agit, tractans, qualiter jura Regni et Ecclesiae 'ad antiquum statum reformaret; Romani per hoc ad contemp-'tum ejus adducti, subito contra eum conspirant, et aliquot mili-'tum ejus interfectis eum in palatio obsident, unde . . . vix egres-'sus Roma . . . moritur.'

[3] John XVII. [XVI.] succeeded Sylvester II. an. 1003. He

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which Rome was again a republic, with the son of Crescentius, the patrician John, at its head. The north of Italy, however, espoused the cause of the Emperor Henry II., whose claim to the kingdom of Italy was contested by Ardoin, Margrave of Ivrea.

(2) *Counts of Tusculum.*

But the leadership of the Tuscan party had passed from the descendants of Crescentius to the Counts of Tusculum; and from the time of Benedict VIII. *they* treated the Papacy as an appanage of their family, and appointed the holders of it by the most open simony. By these counts Benedict VIII. was appointed, but not without a rival Gregory in the interest of the Crescentii contesting his claims; and Benedict's position continued precarious, until, by a promise of the imperial crown, he had secured the support of the emperor.[1] By the Counts of Tusculum also, John XIX.,[2] though yet a layman, and

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was followed by John XVIII. [XVII.] in the same year, and by Sergius IV. an. 1009. Sergius IV. was succeeded by Benedict VIII. an. 1012. For their lives, see LABBÉ, xi. 1049 *seq.*

[1] Henry II. was crowned an. 1014. Of this coronation, THIETMAR (vi. in fine) says:

> 'Ista dies pulcro signetur clara lapillo,
> Qua regi nostro se subdit Roma benigno.'

[2] Benedict VIII. was Pope from 1012 to 1024; his brother, John XIX. [XVIII.], from 1024 to 1033; his nephew, Benedict IX. from 1033 to 1046. See LABBÉ, xi. 1081 *seq.* The series of Popes and Antipopes is therefore as follows:

| Popes | Antipopes |
|---|---|
| Sylvester II. 999. | ... |
| John XVII. 1003. | ... |
| John XVIII. 1003. | ... |
| Sergius IV. 1009. | ... |
| Benedict VIII. 1012. | ... |

CHAP. V.

A.D. 1024

1033

(3) *Three rival Popes.* (*a*) *Benedict IX.* 1033-1046

prefect of the city, was elevated to the Papal throne to succeed his brother, Benedict VIII.; and on his decease, the tiara was bestowed on his nephew, Benedict IX., a boy not more than ten or twelve years of age. But though Benedict IX. was a boy, his vices were the vices of a man, and, moreover, of a man utterly lost to shame, depraved and contemptible. Ruling more like a captain of banditti than like a prelate, perpetrating adultery, murder, and every kind of abomination, with the greatest impunity, his brother being the patrician of the city —he at length exhausted the patience of the oppressed people. He was driven from Rome, and a fresh Pope was substituted in his place, who took the name of Sylvester III.[1]

1044

| Popes | Antipopes |
|---|---|
| ... | *Gregory.* |
| John XIX. 1024. | ... |
| Benedict IX. 1033. | ... |
| *Sylvester III.* 1044 ap. | ... |
| ... | *Gregory VI.* |

All three deposed at Sutri, an. 1046.

[1] Desiderii Dialogi, &c. in *Bibl. Patrum Ludg.* xviii. 853: 'Denique cum rapinas, caedes, aliaque nefanda in Romanum 'populum aliquanta per tempora sine ulla dilatione ageret [Bene-'dictus], congregati in unum populi, quia ejus nequitiam amplius 'ferre nequibant eum a pontificatus cathedra exturbantes, urbe pel-'lunt, alterumque in locum ejus [Sylvestrem] . . . canonica par-'vipendentes decreta substituunt. Qui tribus non amplius men-'sibus Romanae usus est cathedrae successione. . . . Benedictus 'igitur quod amiserat sacerdotium recepit, pristinos tamen mores 'non mutavit. . . . Cumque se a clero simul et populo propter nequi-'tias suas contemni respiceret . . . tandem cuidam Joanni Archi-'presbytero qui tum in urbe religiosior caeteris clericis videbatur, 'non parva ab eo accepta pecunia, summum sacerdotium relin-'quens tradidit.'

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(a) *Rival Pope in Sylvester III.*

A.D. 1044–1046

But the Counts of Tusculum were too strong for the people. To their party belonged the patrician; to their party the consuls also adhered. Benedict returned in triumph, Sylvester withdrew to his bishopric of Sabina. More disgraceful scenes were yet to follow. Enamoured, it is said, of his cousin, and finding that his uncle obstinately refused to give him his daughter unless he resigned the Papacy, Benedict went so far as to sell the dignity to an arch-presbyter of learning and unimpeachable chastity, who doing evil in the hope that good might come of it, purchased the pontificate to reform its abuses, and assumed the name hitherto borne by the best of his predecessors, that of Gregory VI.

(b) *Rival Pope in Gregory VI.*

1045–1046

Forthwith, Gregory VI. devoted himself to the recovery of the ecclesiastical possessions of the See, many of which had been lost to the Church in the restlessness of the preceding administrations at the point of the sword. Thereby, however, he soon found himself involved in a struggle with the late Popes. For Benedict IX. had not obtained his bride,[1] and her father Gerard de Saxo, had espoused the cause of Sylvester III. Three rival Popes now contested the chair of St. Peter, each supported by their respective partisans. Benedict IX. held the Lateran; Gregory VI., Sancta Maria Maggiore; Sylvester III., St. Peter's and the Vatican.

(4) *Henry III. at Sutri.*

1046

At this moment, when the personal disputes of the Popes had become the scandal of Christendom, the more devout, the clergy and the monks, appealed, as

[1] MILMAN, iii. 358.

had once before been done in the time of John XII., to the transalpine monarch, whose own character as Western Emperor seemed to constitute him the arbiter of all quarrels within the pale of the Empire. Obedient to the summons which was conveyed to him by the archdeacon of Rome, Henry III. crossed the Alps, and was everywhere received with loud joy or silent awe. From Placenza he advanced to Sutri, about thirty miles north of Rome, and there assembling a council of prelates, including among their number the Patriarch of Aquileia and the Archbishop of Arles, he proceeded to examine the claims of the rival Pontiffs. Sylvester III. was at once condemned as a usurper.[1] The voluntary abdication of Benedict IX. annulled his claims. Gregory VI., convicted of simony, quietly surrendered up the Papacy; and there being in the whole Roman Church not one person who was not disqualified either on the ground of ignorance, or notorious profligacy, or well-known simony, the German Suidger, bishop of Bamberg, was unanimously elected Pope on Christmas Eve, and consecrated on the day after Christmas Day, taking the name Clement II. With him, a new era of German Popes and radical reforms was inaugurated.

This was the last occasion on which a German emperor was successful in deposing a Roman bishop, and as such it marks the close of the age in which the Papal power was growing, and the beginning of the new age, in which that power reigned

[1] See the account in LABBÉ, xi. 1314.

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supreme. Hitherto the Popes had never been able to forget that they were subjects of the Empire. Henceforth they begin to aspire to a supremacy above the Emperors. Great indeed must have been the fascination exercised by the Papacy over the Germanic nations, if it could still command their respect after its terrible career during the last 150 years. Should it ever be distinguished for its virtues, as it had been for its vices, it was easy to foretell that its power would be irresistible. If the desire of Western Christendom was towards Rome and her Popes in the darkest days of the night of the Papacy, what would not its feelings be when the night had been changed into day? The night in which the age of growth ended, closed with the Pontificate of Benedict IX.; with the accession of Clement II. the dawn of a new day broke.

# CHAPTER VI.

## *CHURCH AND STATE.*

(590—1046.)

*Vadam post amatores meos, qui dant panes mihi, et aquas meas, lanam meam, et linum meum, oleum meum, et potum meum.*—HOS. II. 5.

CHAP. VI.

A. *New relations of Church and State.*

(1) *The Church altered.*

(*a*) *By Roman ideas.*

THE entire organisation of the Roman Church, reproducing the organisation of imperial Rome, passed together with Christianity to the Western nations. Almost from the time of the first introduction of Christianity among those nations, the course of events had decided that thus it should be; and in England the Synod of Whitby,[1] in Germany the oath of Boniface,[2] had settled the point once and for all, that the Roman system should be the model on which the Mediaeval Church in these countries should be built. Coming with all the pageantry of the ancient Empire, at once the vehicle of religion, of civilisation, and of a definite ecclesiastical system, Roman Christianity overwhelmed the untutored minds of the Germanic tribes; who, unable in their then stage of culture to distinguish the human elements from the divine, the changeable

[1] Synodus Pharensis, an. 664, in BEDAE, *Hist. Eccl.* iii. 25; and LABBÉ, vii. 506.

[2] An. 723. See ch. ii. p. 42.

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forms from the unchangeable truths, the framework of imperial system from the new life which it was intended to convey, received it as a whole, and became henceforth not only Christians, but Roman Christians. Christianity reigned supreme in the West, yet not in its original form, but after it had been already moulded by Greek philosophy, and clothed in the garb of Roman imperialism.

*(b) By becoming the Church of the rich.*

Just as at first, after being the religion of the poor and the unlettered, it had, when fashioned by Greek philosophy, taken hold on the more educated classes of society, whilst the uneducated villagers, hence called pagans, continued to adhere to their old superstitions; so now, when cast in the mould of Roman imperialism it came to the West, it followed the traditions of the metropolis. It addressed itself first to the great, and won its chief victories by the respect which the Roman name inspired. In this, if in nothing else, the Mediaeval Church is diametrically opposed to the Church of the first three centuries. The Apostles of the first Age went forth to win the poor, the despised, and the outcast; those of the Middle Ages first addressed themselves to the great, to princes, and nobles. Apostolic Christianity spread as the religion of the poor; Mediaeval Christianity as the religion of the rich. The Apostolic Church was democratic in its origin and institutions. Far otherwise was the Church of the eighth and ninth centuries, in which the monarchical ideas of the Empire had superseded the republican order of its first founders.

*(2) Importance*

Such a change of views could not fail to make

CHAP. VI.

*attaching to bishops and princes.*

itself felt in the circumstances of both Church and State, nor could it fail to influence the conduct and practice of churchmen. The higher ecclesiastics were now considered as alone constituting the Church, as alone able to express its voice. A marvellous importance was attached to the conversion of kings and princes, an example of which had already occurred at the conversion of Constantine.[1] The great mass of Christians—the Christian populace as it were—disappear from view; the spiritual aristocracy of monks and bishops alone become prominent. The feelings and wishes of the people are never considered, or are ignored; the interests and wishes of kings and princes are religiously observed. The Church has become an institution for the great and the rich; the history of Christianity, a history of the relation of bishops to princes, and princes to bishops, of the Papacy to the Empire, and the Empire to the Papacy. As in politics the great mass of the people have no voice, so in the administration of the Church they are voiceless also. They follow where their princes lead, blindly accepting the creed to which their chiefs are pledged.

One after another the nations of Europe are converted to the faith; their conversion is seen always to proceed from above, never from below. Clovis yields to the bishop Remigius, and forthwith he is followed by the baptism of 3000 Franks.[2] Ethelbert

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[1] See SOCRATES' *Eccles. Hist.* i. 2.

[2] See NEAND. v. 9; MACLEARS'S *Missions of the Middle Ages*, p. 54.

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yields to the mission of Augustine, and forthwith all Kent follows his example;[1] when his son Eadbald apostatises,[2] the men of Kent apostatise with him. Essex is finally won by the conversion of King Sigebert, who under the influence of another king, Oswy, allows himself to be baptised.[3] Northumberland is temporarily gained by the conversion of its king, Edwin,[4] but falls away as soon as Edwin is dead.[5] It anew accepts the faith, when another king, Oswald, promotes its diffusion.[6] In the conversion of Germany, a bishop, Boniface, plays a prominent part, in close connection with the princes of the country, Charles Martel and Pepin;[7] the latter, in return for his patronage, receiving at Soissons the Church's sanction to a violent act of usurpation.[8] Denmark is gained by the conversion of its kings, Harald Krag, Harald Blaatand, and Canute;[9] Sweden by that of the two Olofs;[10] and Russia, by the conversion of its sovereign, Vladimir.[11] Everywhere Christianity addresses itself first to kings and princes; everywhere the bishops and abbots appear as its only representatives.

Nor was this all, for where a king had once been gained, no obstacle was offered by the Mediaeval missionaries to the immediate indiscriminate baptism of his subjects. Three thousand warriors of Clovis

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[1] BEDAE, *Hist. Eccl.* i. 26.
[2] *Ibid.* ii. 5.
[3] *Ibid.* iii. 22.
[4] *Ibid.* ii. 12, 13.
[5] *Ibid.* iii. 1.
[6] *Ibid.* iii. 2, 3.
[7] NEAND. v. 61 *seq.*
[8] See p. 61. *Ibid.* v. 9
[9] MACLEAR'S *Missions*, p. 229 *seq.* NEAND. vi. 2.
[10] NEAND. vi. 7, 11, 17, 28.
[11] *Ibid.* vi. 76.

following the example of their king, were at once admitted to the sacred rite; the subjects of Ethelbert were baptised in numbers after the conversion of their prince, without preparation, and with hardly any instruction. The Germans only were less hasty in following the example of others. In Russia, so great was the number of those who crowded to be baptised after the baptism of Vladimir, that the sacrament had to be administered to hundreds at a time. In Sweden, the missionaries were still less scrupulous, and offered to the masses death or baptism as the only alternatives. Ecclesiastical Rome, like imperial Rome, was bent on gaining the prince. She troubled herself little about the subjects, but required from them a blind obedience. And in acting thus, she was aided by the superstition and ignorance generally prevailing. There were few obstacles to mar her success. Exercising a strange fascination over men who had been accustomed to regard their rulers as little more than leaders in war, she used that fascination to exalt the prince, and lower the people. Princes welcomed her system as adding strength to their own rule; and the people submitted, though not always without a protest, when that system came before them, not merely as an accessory of the religion they were adopting, but as a necessary part of religious government and civilisation.

(3) *The Roman system identified.*

Nor were the Roman bishops backwards in encouraging this view. Leo I. had already announced that upon himself, as the successor of St. Peter, the

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*with religion and civilisation.*

care of the whole Church devolved.[1] This notion, resting for its origin on the more than doubtful legend of St. Peter having been bishop of Rome,[2] became from the time of Gregory I. downwards, the leading idea of the Roman bishops. It was also the idea which took the firmest hold on the Germanic mind, and brought the Germanic nations to a form of ecclesiastical government, otherwise greatly at variance with their political notions. It was to this idea that Laurentius had appealed, and appealed successfully, to prevent the breaking up of the newly established Church in Britain;[3] and this was the idea

A.D. 664 which, at the Synod of Streaneshalch, decided Oswy in favour of Rome against Colman, the champion of the Scots, even more than the glowing account of the city, and the glories of its services, repeated by an enthusiastic admirer, and contrasted with the rustic simplicity of what he was pleased to call these two remote islands.[4] Moreover, Gregory III. must have been keenly alive to the influence of this idea

740 when he addressed his letter to Charles Martel, exhorting him to rescue Rome, and conjuring him by the living and true God, and by the keys of St. Peter, not to prefer an alliance with the Lombards

755 to the love of the great Apostle:[5] yet not more keenly alive than was one of his successors, Stephen, who, in an agony of fear, had resorted to the bold ex-

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[1] An. 444. See ch. ii. p. 17.

[2] See SCHAFF, *History of the Christian Church*, p. 63.

[3] BEDA, ii. 6.

[4] *Ibid.* iii. 25.

[5] MILMAN, *History of Latin Christianity*, book iv. ch. ix.; vol. ii. p. 429 (small edition). See above, p. 54.

pedient of addressing a letter to Pepin, purporting to come from the Apostle St. Peter himself,[1] and admonishing him in his own name, and in that of the Mother of God, to delay no longer, but to cross the Alps to save the beloved city from the detested Lombards. If further proof were wanted to show how readily the northern nations adopted the system of Rome, even surpassing their teachers in the length to which they pushed Papal absolutism, the fact may be cited that not in Rome, nor yet in any Italian city, but in the very heart of Germany, in the imperial city of Mainz, that successful forgery was perpetrated, which surprised the world at the time, and more than anything fostered the extravagant pretensions of the Papacy. And yet the False Decretals—for so the forgery is now called—however spurious they may be, were needed in those unsettled times, if the new institution of bishops with large dioceses, and exer-

[1] The letter ran: 'I, Peter the Apostle, protest, admonish and 'conjure you, the most Christian kings, Pepin, Charles and Carlo-'man, with all the hierarchy, bishops, abbots, priests, and all 'monks; all judges, dukes, counts, and the whole people of the 'Franks. The Mother of God likewise adjures you, and ad-'monishes and commands you, she as well as the thrones and 'dominions, and all the host of heaven, to save the beloved city 'of Rome from the detested Lombards. If ye hasten, I, Peter 'the Apostle, promise you my protection in this life and the next, 'will prepare for you the most glorious mansions in heaven, and 'will bestow on you the everlasting joys of Paradise. . . . Of 'all nations under heaven, the Franks are highest in the esteem 'of St. Peter. To me you owe all your victories. Obey and 'obey speedily, and by my suffrage, our Lord Jesus Christ will 'give you in this life length of days, security, victory; in the life 'to come will multiply his blessings upon you among his saints 'and angels.'—LABBÉ, viii. 386. See above, p. 65.

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cising a summary jurisdiction over the lower clergy, was to be upheld alike against the encroachments of princes and the attacks of still greater metropolitans. A foreign institution required support from without, if it was to root itself firmly; and in order to secure their independence from greater prelates near at hand, the bishops yielded up their independence to a distant Italian pontiff. For two centuries, until the beginning of the ninth century, the Roman bishops had risen to power as the successors of St. Peter; after the appearance of the False Decretals, they aspired to a higher place as ecclesiastical sovereigns. Theirs was to be, not the old Roman Empire, but a new Empire—an Empire bearing the old name, but exercised over a new race, nominally a Roman Empire, really a German Empire, nominally a revival of the old Western Empire, really an Empire over countries which had never owed allegiance to Italy, not in the palmiest days of its prosperity. Once the name of Rome was associated with persecution of the faith, now it was denied that Christianity could exist except in the communion and under the ecclesiastical headship of her bishop.

B. *Gains for the Church.*

In many respects the Church gained by this altered state of things; in many, perhaps in more, she lost. Her gains consisted in the acquisition of wealth, privilege, and power; her losses were caused by the interference of kings and princes to subvert her established customs. Under the emperors the ecclesiastical hierarchy never received any regular endowment by law. They were dependent on the voluntary munificence of individuals, among the list

CHAP. VI.

(1) *Wealth from donations, tithes, and masses.*

of whom were many emperors; and, on the whole, they had no cause for complaint. It was otherwise among the Western nations. There, not only was the Church enriched by the liberality of individuals and the lavish generosity of princes—the Merovingian, Carolingian, and Saxon emperors vying with each other in their donations to the Church—but it received a legal endowment in the obligation imposed on all the laity to pay tithes. That result was not, however, attained all at once, nor did it take place in all countries at the same time. As early as the year 567, the bishops of France, in a pastoral letter, had recommended the faithful to emulate the example of Abraham, by offering tithes of all they possessed in return for the safe enjoyment of the rest. The non-observance of this recommendation was visited by the Council of Matiscon with ecclesiastical penalties.[1] Most of the sermons preached in the eighth century inculcate the payment of tithe as a duty, and even seem to place the summit of Christian perfection in its performance.[2] Pepin, writing to Archbishop Lull in the year 764, desires that the bishops should institute a thanksgiving-feast on account of a rich harvest, for the benefit of the poor, and that

A.D. 567

585

764

[1] Concil. Matisconense ii. 585 A.D. Can. 5, LABBÉ, vi. 675: 'Unde statuimus ac decernimus, ut mos antiquus a fidelibus reparetur; et decimas ecclesiasticis famulantibus ceremoniis populus omnis inferat, quas sacerdotes aut in pauperum usum, aut in captivorum redemptionem praerogantes, suis orationibus pacem populo ac salutem impetrent. Si quis autem contumax nostris statutis saluberrimis fuerit, a membris ecclesiae omni tempore separetur.'

[2] HALLAM'S *Middle Ages*, vol. ii. ch. vii. pt. i. p. 146.

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A.D. 779

everyone should be required to contribute a tenth, whether willing or unwilling. Not many years later, a capitulary of Charles made the payment of tithes a part of the law of the State,[1] leaving the disposal of them to the command of the Pope. From this time forward, tithes became a regular endowment of the Church, and although at first they were often reluctantly and irregularly paid, yet, as time advanced, the payment became more general. Let it, however, be borne in mind, that only a portion of the tithes as originally paid, was devoted to the maintenance of the clergy. On the earliest occasion in which they were enjoined by a council, they were to be devoted to the use of the poor, or else for the redemption of captives.[2] In England, if they were ever paid before the ninth century,[3] they must have been applied according to the rule laid down by Gregory: all

[1] Capit. an. 779, c. vii.: 'De decimis, ut unusquisque suam 'decimam donet, atque per jussionem Pontificis dispensetur.' Capit. de partibus Saxoniae, c. xvi. (PERTZ, iii. 49): 'Et hoc 'Christo propitio placuit, ut undecumque census aliquid ad fis- 'cum pervenerit . . . decima pars Ecclesiis et Sacerdotibus red- 'datur.' See GIES. ii. 253; PLANCK, ii. 397; GFRÖRER, ii. 609; KÜHLENTHAL'S *Gesch. des deutschen Zehntens*, Heilbronn, 1837; HALLAM, p. 146.

[2] See note on p. 149.

[3] The grant of Ethelwolf, in 855, has appeared to some antiquaries the most probable origin of the right to tithes in England. The subject is discussed by HALLAM in note 1 to ch. vii. of his *Middle Ages*. Asser's words are: 'Eodem anno [855] Adelwolfus 'venerabilis, rex Occidentalium Saxonum, decimam totius regni 'sui partem ab omni regali servitio et tribute liberavit et in sempi- 'terno grafio in cruce Christi, pro redemptione animae suae et 'antecessorum suorum, Uni et Trino Deo immolavit.' Hallam pronounces the two extant charters to be spurious.

emoluments were to be divided into four parts: one for the bishop and his attendants, because of hospitality and entertainments; another for the clergy; a third for the poor; and the fourth for the repair of churches.[1] The Emperor Charles divided them into three parts—one for the bishop and his clergy, a second for the poor, and a third for the support of the fabric.[2]

Moreover, the Church obtained wealth by immunity from taxation. In the Frankish Empire her estates were, indeed, liable to be taxed in the same manner as all property belonging to the old landed proprietors,[3] and they were held by the same feudal tenures. Nor were the Anglo-Saxon clergy exempt, at least at first, from the so-called *trinoda necessitas*, consisting of Brigbote, for the repair of roads and bridges, Burhbote, for building and repairing fortresses, and Fyrd or general array of military service. Nevertheless, on the Continent the clergy obtained a secure endowment in the *mansus ecclesiae*,[4] or small

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[1] BEDAE, *Hist. Eccl.* i. 27.

[2] SCHMIDT, ii. 206 (quoted by HALLAM, *Middle Ages*, ii. 145); Concil. Bracarense ii. an. 563, Can. 7, LABBÉ, vi. 521, had decreed: 'Placuit ut de rebus ecclesiasticis tres aequae fiant por-'tiones; id est episcopi una, alia clericorum, tertia in recupera-'tione vel in luminariis ecclesiae.' Capitulare Episcoporum vii. of Charles, an. 800, LABBÉ, ix. 251: 'Ut et ipsi sacerdotes sus-'cipiant decimas, et eorum nomina quicumque dederint scripta 'habeant, et secundum auctoritatem canonicam coram testibus 'dividant, et ad ornamentum ecclesiae primam eligant partem: 'secundam autem ad usum pauperum, vel peregrinorum, per 'eorum manus misericorditer cum omni humilitate dispensent, 'tertiam vero partem sibimetipsis soli sacerdotes reservent.'

[3] NEAND. v. 135.

[4] *Ibid.*

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A.D. 816

plots of ground allotted to each church, which they held, perhaps, from the beginning, but certainly after the time of Lewis the Pious, free from all rent and taxes; and in England the exemption from feudal service soon extended to all the lands of the Church. Hence many proprietors granted their estates to the Church, to be held by the tenure known as frankalmoigne, and received them back by way of fief or lease, discharged from public burdens.[1] The clergy were even forbidden by a capitulary of Charles to dis-

811 charge their personal service in the field. By these means, the possessions, the wealth, and the immunities of the clergy greatly increased; and in the lapse of time, legitimate riches accrued to the monasteries by the cultivation of tracts of country hitherto wild and deserted.

*(2) Privileges of the Clergy.*

*(a) Exemption from civil jurisdictions.*

Nor was the acquisition of wealth the only privilege which accrued to the Church from the favour of nobles and of princes. Other privileges fell to her lot as well. In some cases, the clergy received judicial power over their dependents, being themselves exempted from secular jurisdiction. This had been of rare occurrence under the Merovingians; it became

761 more frequent afterwards. Triers received from Pepin the privilege of immunity from the jurisdiction of Counts;[2] Osnabrück was exempted by Charles from the jurisdictions of all judicial courts, not excepting

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[1] HALLAM; *Ibid.* p. 144. The same was the case on the Continent. See capit. iii. an. 811, c. iii. (quoted by GIESELER, ii. 255).

[2] HONTHEINS, *Hist. Dipl.* i. 120. The right was confirmed by Charles, 773 A.D., *Ibid.* p. 132, and by Lewis the Pious, 816 A.D., *Ibid.* p. 167.

those of the Missi.[1] In other cases, churches received *regalia* or royal rights; Lewis the Pious, in particular, having bestowed on many monasteries and churches the right of tolls, markets, and coinage.[2] To such an extent were these secular privileges bestowed, that in the time of Charles all prelates were required to keep advocates for transacting their secular business, this business being considered incompatible with their spiritual calling.[3] More often the clergy were exempted from the jurisdiction of civil courts. The early Merovingian kings gave exclusive jurisdiction to the bishop in all cases wherein clerks were interested, and the temporal magistrates were strictly prohibited by the laws of Charles from judging the causes of ecclesiastics.[4] Laymen who had suits with ecclesiastics, and felt themselves aggrieved by the bishop's verdict, might, however, appeal to the sovereign. On the whole, it may be doubted whether the Church did not lose quite as much as she gained by this privilege. For lay jurisdiction, like lay patronage, must have retarded the growth of an overbearing hierarchy; and episcopal jurisdiction became in subsequent times an instrument for screening

813 A.D.

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[1] Möser's Osnabrück, *Gesch.* 3te Aufl. i. 405. Berlin, 1819.

[2] Montag, i. 285; Gies. ii. 255; Heimoldus in *Chron. Slav.* lib. i. ch. iv. § 2.

[3] Caroli capit. ii. an. 813, c. xiv.: 'Ut Episcopi et Abbates Advocatos habeant.' These advocates had to appear in court on behalf of the churches they represented. Montag, i. 232. Some churches had also Defensores. Montag, p. 250. Both offices were soon united, and the expressions Advocati, Defensores, Vicedomini became synonymous. See note in Gies. ii. 255.

[4] See Hallam's *Middle Ages*, ii. 150; Gieseler, ii. 256.

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the vices of ecclesiastics from the punishment they deserved.

*(b) Exemption from military service.*

Not the least important amongst other privileges which passed from the old to the new state of things, though somewhat modified in its application, was the exemption of the Church from military service. Amongst the Germanic nations, the obligation to perform military service rested on all freemen, clerical as well as lay. But as the feeling spread of the incompatibility of military service with the spiritual office, several attempts were made to exempt[1] the clergy from the obligation, and to reconcile that exemption with the interests of the State. Thus a

A.D. 511

canon of the Council of Orleans, in the time of Clovis, forbade any freeman to be advanced to the clerical office, except by command of the king or the wish of the judge;[2] and, in consequence, the Church selected for the lower spiritual offices men taken from the ranks of bondmen, who were not affected by the obligation to do military service.[3] Thus, whilst the Church vindicated her claim to exemption from the duty of military service, she was developing the distinction of a high-born and a low-born clergy, of a clerical aristocracy and clerical commoners:

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[1] For instance that of Boniface; NEAND. v. 74; Concil. Germ. an. 742, Can. 2, LABBÉ, viii. 270.

[2] Concil. Aurelianense i. A.D. 511, Can. 4, LABBÉ, v. 544: 'De ordinationibus clericorum id observandum esse decrevimus, 'ut nullus saecularium ad clericatus officium praesumatur, nisi aut 'cum regis jussione, aut cum judicis voluntate; ita ut filii cleri-'corum . . . in episcoporum potestate ac districtione consistant.' Also Capit. Carol. A.D. 805, c. xv.; see NEAND. v. 129.

[3] NEAND. v. 130.

the high-born clergy occupying the places of dignity and emolument, discharging the ordinary duties of freemen, and therefore possessing a voice in the great council of the nation; the low-born clergy filling the lower clerical offices, which were accordingly degraded in dignity and position, like other bondmen possessing no political status, unable to claim any rights, often oppressed by their feudal superiors, the bishops, and obliged, without redress, to submit to their wishes and commands.[1]

(3) *Power of higher clergy.*

By these means, that wide distinction between the higher and the lower clergy, between the bishops and the priests, was developed, which had been unknown in the early ages of Christianity. And more than that, there rose among the bishops themselves, towering over the heads of the rest, those great prelates of the West,[2] for the most part, relatives or favourites of the ruling princes, who formed the stepping-stones from episcopal government to papal absolutism.

[1] This practice was condemned by the Fourth Council of Toledo in 633, Can. 74, LABBÉ, vi. 1468: 'De familiis ecclesiae 'constituere presbyteros et diacones per parochias liceat; quos 'tamen vitae rectitudo et probitas morum commendat: ea tamen 'ratione, ut antea manumissi libertatem status sui percipiant et 'denuo ad ecclesiasticos honores succedant; irreligiosum est 'enim obligatos existere servituti, qui sacri ordinis suscipiunt dig-'nitatem.' Also by Council of Aix in 816, Can. 119, LABBÉ, ix. 480: 'Sunt nonnulli qui tantum ex familia ecclesiastica clericos 'in sibi commissis congregant ecclesiis; et hoc ideo facere viden-'tur, ut si quando eis aliquid incommodum fecerint, aut stipendia 'opportuna subtraxerint, nihil querimoniae contra se objicere prae-'sumant; timentes scilicet, ne aut severissimis verberibus effician-'tur, aut humanae servituti denuo crudeliter addicantur.'

[2] They were recognised by Carloman 742 A.D. and Pepin 755. See GIES. ii. 238.

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The bishops occupied a position of almost absolute command over an army of inferior clergy. They alone disposed of all the tithes and revenues of the Church; they alone claimed to express the opinions of the Church. Already powerful in ecclesiastical matters, powerful too in secular matters by the acquisition of royal prerogatives, powerful moreover by the share which they had in the public councils of the realm, they became still more powerful by means of the places which they already possessed. To the emperors, and especially since the time of Otto I., the ecclesiastical oligarchy of prelates seemed a useful counterpoise to the overgrown power of the nobles.[1] To make the bishops equal to this task, fresh privileges were heaped upon them;[2] whole counties were transferred to them as fiefs;[3] they were for the most part appointed by the kings, the

[1] GIES. ii. 374.

[2] Lewis the Child conferred on the abbot of Corvey 900 A.D., on the bishop of Triers 902, on the bishop of Tengern 908, and on others, the rank of Counts of the Empire. GATTERER, *Comm. de Ludov.* iv. inf. 34, 53, Götting. 1759; BÖHMER'S *Regesta Carolorum*, p. 15.

[3] Henry I. conferred on the bishop of Toul 928 A.D. the dukedom and dignity of the city of Toul. BÖHMER'S *Regesta von Conrad I. bis Heinrich VII.* p. 3; THOMASSINUS, lib. i. pt. iii. c. xxviii. xxx.; MONTAG, ii. 41, 48; HÜLLMAN'S *Gesch. d. Ursprungs d. Regalien in Deutschland*, Frankfort, 1866. Otto I. invested his brother Bruno, archbishop of Cologne, with the dukedom of Lorrain, and conferred on him the privileges of a count. Otto III. and Henry II. bestowed numerous counties on different churches. The old German chronicle in LEIBNITII *Introd. in Script. rer. Bruns.* i. 13, says of the time of Otto I.: 'Da begunten zuerst die Bischopfe 'weltliche Rechte zu haben, das dauchte damals unbillig manchem 'Manne.' See STENZEL'S *Gesch. Deutschlands*, ii. 127, 135.

privilege of free choice being made subject to the royal confirmation;[1] by Lewis the German, Arnulf, Otto I., they were often installed in office;[2] from the time of Charles they were required to take an oath of allegiance, like other vassals,[3] in return for their secular possessions; they were obliged in the tenth century to lead their troops in person to the wars.[4] They were often deposed by the emperors—the bishop of Asti, for instance, by Henry II., the archbishop of Milan, and the bishops of Vercelli, Cremona and Piacenza, by Conrad II.;[5] and often, too, their exalted secular position involved them in all the incidents of the great secular lordships,[6] and drew

[1] In 1004 Henry II. pointed out Tagino to the electors to be archbishop of Magdeburg (THIETMAR, v. 24, ap. PERTZ, v. 802), and in 1012 Walterd (THIETMAR, vi. 44). In other cases, instead of confirming a choice, he appointed another; Meingaud in 1008 to be archbishop of Triers (THIETMAR, xi. 25), and Himmo, 1006, to be abbot of Reichenau (HERMANN, *Contractus*, ad an. 1006, ap. PERTZ, vii. 118). Other cases are quoted by GIES. ii. 376 (note).

[2] Instances of investiture by Lewis the German in Vita Reinberti, c. iv. *Act. SS.* Feb. i. 562; by Arnulf in ADAM BREM. i. 39; by Otto I. in THIETMAR, ii. 16; by Henry II. in THIETMAR, vi. 44; by Conrad II. in Vita Bardonis Archiep. Mogunt. c. xxiv. in *Act. SS.* Jan. ii. 381.

[3] Not, however, without a protest on their part. See the Epistle of the Bishops in 858 (quoted in GIES. ii. 376).

[4] See the instances of Liutberg, archbishop of Mainz in 872 A.D.; of Arno, bishop of Würzburg in 892 A.D.; of Henry, bishop of Augsburg and Werner, abbot of Fulda in 982 A.D.; of Michael, bishop of Ratisbon, and others (quoted by GIES. ii. 377, note).

[5] See GIESELER, ii. 377.

[6] Bishops and specially abbots were defrauded by their bailiffs. See MABILLON, *Vet. Analecta*, p. 135; HÜLLMANN, p. 250; MONTAG, ii. 222; PLANCK, iii. 611. They were forced to make grants of Church property in order to obtain men fit for military service. See GIES. ii. 378.

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down upon them the envy of the nobility.[1] Yet most of these drawbacks were not experienced till the end of the tenth century. It may be doubted whether, on the whole, their losses were not quite as great as their gains. They had gained in power—they had lost in independence. Moreover, the concentration of authority in the hands of a few individuals may have been serviceable at the time in strengthening the clergy against the world; but whether it was on the whole a gain for the Church, is a point about which great difference of opinion may be entertained.

C. *Disadvantages for the Church.* (1) *Free elections abolished.* (*a*) *Kings nominate to bishoprics.*

Foremost among the disadvantages from which the Church now suffered, owing to the dependence of the bishops on the court, and the dependence of the lower clergy on the bishops, was the disuse of free elections. In the old Roman Empire the influence of the emperors had only been used in filling up bishoprics in the more important cities; among the Western nations the large revenues and great political privileges of most of the new Sees brought those Sees more and more under the direct patronage of the sovereigns.[2] The exercise of this kind of patronage was still further advanced by the clergy themselves, who sought to obtain bishoprics by appealing to the interested motives of princes, or even by simony.[3] In the Frankish kingdom, the

[1] HÜLLMANN, p. 237; MONTAG. ii. 17, 79.

[2] NEAND. v. 123.

[3] See ATTONIS, Ep. Vercellensis, Lib. de pressuris ecclesiasticis, in D'ACHERY, *Spicileg.* i. 414. The bishops, says Atto, *Ibid.* 427: 'Irreligiose eliguntur, inaniter ordinantur, indifferenter accusantur, 'injuste opprimuntur, perfide dejiciuntur, crudeliter aliquando et

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regulations respecting ecclesiastical elections went wholly into disuse, and bishoprics were either arbitrarily bestowed upon favourites or sold to the highest bidders. In England, as early as the year 640, Wini obtained the bishopric of London by purchase.[1] The attempts of the councils of Paris to restore canonical election proved unavailing.[2] By Carloman and Pepin, endeavours were made to reinstate metropolitans in their ancient rights,[3] and to diminish the abuses of bishoprics and abbacies, being in lay hands ; but the feudal relations remained unaltered, and the nomination to prelacies still continued to be decided by princes. Thus Willibrord was conse-

A.D. 557 & 615

743

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'necantur.' See GIES. ii. 379. Atto is, however, speaking of the state of things in the tenth century. At an earlier period GREGORY OF TOURS in his life of Gallus, bishop of Clermont, apud RUINART, *Vitae Patrum*, vi. 1171, relates how the clergy of Clermont came with many presents before Theodoric, the son of Clovis, hoping to persuade him to confirm the choice made by themselves ; on which he observes : 'Jam tunc germen illud iniquum coeperat 'fructificare, ut sacerdotium aut venderetur a regibus aut compararetur a clericis.' In *Hist. Francor.* iv. 35, it is mentioned as the common means of obtaining a bishopric : 'Offerre multa, plurima 'promittere.'

[1] BEDAE *Hist. Eccl.* iii. 7.

[2] Concil. Paris. iii. an. 557, Can. 8, LABBÉ, vi. 495, decrees : 'Nullus civibus invitis ordinetur episcopus, nisi quem populi et 'clericorum electio plenissima quaesierit voluntate ; non principis 'imperio, neque per quamlibet conditionem, contra metropolis 'voluntatem, vel episcoporum comprovincialium, ingeratur.' Concil. Paris. v. an. 615, Can. 1, LABBÉ, vi. 1388, decrees : 'Decedente 'episcopo, in loco ipsius ille Christo propitio debeat ordinari, 'quem metropolitanus a quo ordinandus est cum provincialibus 'suis, clerus vel populus civitatis, absque ullo commodo vel 'datione pecuniae elegerint.'

[3] GIES. ii. 238.

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crated bishop of Utrecht at the wish of Pepin.[1] Gewillieb, the son of a martial and married ecclesiastic, was appointed by Charles to succeed his father Gerold, in the See of Mentz.[2] Boniface complained of the abuse, but yet he was obliged to appeal to

A.D. 755

Pepin to recognise Lull as his successor in the See of Mentz, without which he felt that his succession was more than doubtful.[3] To Charles, it is true, the honour belongs of having in the year 803 restored the ancient practice of elections;[4] but the laws on this point were not universally carried out. Still no choice could be made without the king's special permission.[5] Most of the bishops continued to be appointed by the prince, and since confirmation and investiture by the sovereign began to be everywhere considered necessary,[6] general opinion conceded the substantial part of the appointment to the sovereign, although ecclesiastics considered it an abuse, if the nomination was made direct.

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[1] Circa 700 A.D. See NEAND. v. 58. [2] *Ibid.* 87.

[3] See NEAND. v. 93, and the letter of Boniface there quoted.

[4] *Ibid.* 126; GIES. ii. 238.

[5] Concil. Valentinum iii. an. 855, Can. 7, LABBÉ, ix. 1154, decrees: 'Si quando . . . episcopus a vocatione domini decesserit, a gloriosissimo principe supplicando postuletur, ut canonicam electionem clero et populo ipsius civitatis permittere dignetur.'

[6] HINCMAR, Epist. 12 ad Ludov. III. Franc. Regem: 'Episcopi talem eligant, qui et sanctae Ecclesiae utilis, et regno proficiens et vobis fidelis ac devotus cooperator existat: et consentientibus clero et plebe eum vobis adducant, ut secundum ministerium vestrum res et facultates Ecclesiae, quas ad defendendum et tuendum vobis Dominus commendat, suae dispositioni committatis, et cum consensu ac literis vestris eum ad metropolitanum Episcopum ac coëpiscopos ipsius dioceseos, qui eum ordinare deberet, transmittatis.'

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(*b*) *Church property diverted to secular purposes.*

Another disadvantage for the Church arising indeed out of her position as the possessor of great wealth, was the diversion of ecclesiastical property to secular purposes. By the Frankish kings, her possessions were not unfrequently resumed, being regarded as on the same footing with other feudal tenures.[1] When the bishops in the seventh century took part in the feuds of the nobles, the robbing of Churches became not uncommon ; and Charles Martel even distributed ecclesiastical revenues and offices in usufruct to valiant soldiers.[2] Boniface wrote to Ethelbald, king of Mercia, to deter him from a similar course.[3] If bishoprics were no longer bestowed in usufruct by the Carolingians, single estates and abbacies were frequently conferred on valiant soldiers by Lewis the Pious, and still more frequently by his sons.[4] The feudal system was introduced

A.D. 717–741

745

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[1] In France the prelates lost most of their regalia under the Capet family. See GIES. ii. 380.

[2] See HALLAM'S *Middle Ages*, ii. 147 ; NEAND. v. 135 ; GIES. ii. 238.

[3] NEAND. v. 92.

[4] Lewis was blamed for this in 828 by Wala, abbot of Corvey, PERTZ, *Monum.* ii. 549 : 'Ecce rex noster, ut saepe ostensum est, 'de facultatibus Ecclesiarum multo in suis suorumque praesumit 'usibus.' Concil. Paris. vi. an. 829, lib. iii. Can. 15, LABBÉ, ix. 773, prays the emperor 'ut quasdam sedes episcopales, quae 'rebus propriis viduatae, nimio annullatae esse videntur, de earum 'sublevatione et consolatione cogitetis.' Concil. Aquisgran. ii. an. 836, says in its letter to Pepin, lib. i. c. iii., LABBÉ, ix. 844 : 'Sunt etiam quidam dignitatem ecclesiasticam non curantes, immo 'suam cupiditatem explere volentes . . . qui . . . solent dicere : 'Quid mali, quidve discriminis est, si rebus ecclesiasticis in nostris 'pro libitu nostro utimur necessitatibus?' The case was worse

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among the lower ecclesiastical orders;[1] and candidates for ordination were obliged after the eighth century to take a species of oath of fealty to the bishop.

*(c) Rights of patronage.*

In this way those rights of patronage, which are now universally accepted without question, gradually came into existence, yet only gradually, and like so many other things having their foundation in a Roman custom.

A.D. 541 & 555

Two laws had been passed by Justinian in the sixth century,[2] granting to those who founded new Churches with specific endowments, a right for themselves and their posterity to propose worthy candidates to the bishop. The nomination, however, was not absolute, and the decision was made to depend upon the bishop's examination. From Rome the idea of patronage crept into Europe. It seemed only fair that the founders of new Churches should have some guarantee that the property which they had set apart for religion should not be dissipated by the negligence or greed of bishops, or plundered by robber laymen.[3] Several councils recognised this

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under the sons of Lewis. See the authorities quoted by GIES. ii. 240 (note).

[1] GIES. ii. 240.

[2] Quoted by NEAND. v. 146: 'Εἴ τις εὐκτήριον οἶκον κατασκευάσει, καὶ βουληθείη ἐν αὐτῷ κληρικοὺς προβάλλεσθαι, ἢ αὐτὸς ἢ οἱ τούτου κληρονόμοι, εἰ τὰς δαπανὰς αὐτοὶ τοῖς κληρικοῖς χορηγήσουσι, καὶ ἀξίους ὀνομάσουσι τοὺς ὀνομασθέντας χειροτονεῖσθαι.'

[3] Concil. Tolet. ix. an. 655, Can. 2, LABBÉ, vii. 467: 'Quia ergo fieri plerumque cognoscitur, ut ecclesiae parochiales, vel sacra monasteria ita quorumdam episcoporum vel insolentia vel incuria horrendam decidant in ruinam . . . ideo decernimus, ut

use as a right, and permitted to patrons the oversight of such churches, giving them the power during their lifetime, to nominate to the bishops suitable rectors —a power which was afterwards conceded to their descendants. Often in the succeeding ages churches owed the preservation of their property to the protection of a patron. More often, perhaps, they suffered by the avarice of their defenders, who, treating ecclesiastical property as if it were their own, were as ready to practise simony in disposing of oratories, as the sovereigns were in disposing of bishoprics; and considering the clergy as their retainers, strove to make them independent of their diocesan bishops.[1] Yet it may be questioned whether

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'quamdiu earumdem fundatores ecclesiarum in hac vita superstites 'extiterint, pro eisdem locis curam permittantur habere solicitam . . . atque rectores idoneos in eisdem basilicis iidem ipsi offerant 'episcopis ordinandos.' Concil. Francoford. an. 794, Can. 54, LABBÉ, ix. 107: 'De ecclesiis quae ab ingenuis hominibus con- 'struuntur, licet eas tradere, aut vendere, tantummodo ut ecclesia 'non destruatur, sed serventur quotidie honores.' Syn. Rom. an. 826 et 853, Can. 21, LABBÉ, ix. 1124: 'Monasterium vel orato- 'rium canonice constructum a dominio constructoris invite non 'auferatur, liceatque illi id presbytero cui voluerit pro sacro officio 'illius dioeceseos et bonae auctoritatis dimissoria, cum consensu 'episcopi, ne malus existat, commendare; ita ut ad placita et ad 'justam reverentiam ipsius obedientes sacerdos recurrat.'

[1] Concil. Cabilonense, an. 650, Can. 14, LABBÉ, vii. 398, complains: 'Quod oratoria per villas potentum jam longo constructa 'tempore, et facultates ibidem collatas, ipsi quorum villae sunt episcopis contradicant, et jam nec ipsos clericos, qui ad ipsa 'oratoria deserviunt, ab archidiacono coërceri permittant.' AGOBARDUS *De Privil. Sac.* ch. ii.; *Opp.* i. 134: 'Increbuit consue- 'tudo impia, ut paene nullus inveniatur . . . proficiens ad ho- 'nores, qui non domesticum habeat sacerdotem, non cui obediat,

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the churches would not have suffered more had the patronage been vested in ecclesiastical hands, ever be it said, with shame and sorrow, of unscrupulous patrons the most unscrupulous; whether they would not have suffered most of all if elections had been free, and no rights of patronage had existed at all. Many laws were enacted by synods against these abuses from the middle of the seventh to the be-

A.D. 794 ginning of the ninth century. Amongst others, the Council of Frankfurt required a *suitable* presbyter to be appointed, who was obliged to obtain the bishop's approval, and to be subject to him, like

813 other clergy; and the Council of Arles[1] forbade patrons to exact presents for their recommendation in future. But all these attempts, however useful they might be in preventing abuses, sanctioned rather than curtailed the system of patronage. If feudalism did away with the free election of bishops by substituting royal nominations, it also did away with the free election to the lower clerical orders, by introducing the rights of patronage; and thus, at the same time, it established a new network of ecclesiastical organisation, better known as the parochial system.[2] Of that system, its merits and

'sed a quo incessanter exigat licitam simul atque illicitam obe-
'dientiam, non solum in divinis officiis, verum etiam in humanis.'

[1] Concil. Arelat. iv. an. 813, Can. 5, LABBÉ, ix. 323: 'Ut laici
'omnino a presbyteris non audeant munera exigere propter com-
'mendationem ecclesiae: quia propter cupiditatem plerumque a
'laicis talibus presbyteres ecclesiae dantur, qui ad peragendum
'sacerdotale officium sunt indigni.'

[2] The system of patronage is one for which no precedent can be cited from the first age of Christianity. The earlier councils

its demerits, it is not for us here to obtrude an opinion. Suffice it to say, that it was a work of time, of gradual growth and of compromise, and was not fully established in England until the time of John. It was partly a religious institution and partly a political one, partly dictated by motives of purest philanthropy and partly due to selfishness and lust of power. It gave to the Church the tithe which she claimed. It gave, however, to the landlord power to dispose of the tithe which was raised from his own estate. To the bishops it gave a share in the appointment, but a share apparently as sub-

uphold the free election of the clergy and declare ordinations not preceded by lawful elections invalid. *Theoretically* it is a system which can only be defended on the most extreme sacerdotal theory—the theory that all the clergy of any one grade are so exactly equal, that it is a matter of no moment whether one or the other is appointed. The nomination may then be safely left to an individual. Unfortunately, however, theory and experience do not on this point agree. Nevertheless, *practically*, a plea may be advanced for patronage. Is it not better to have patronage than the scandals, the corruption and the jobbery, which would be the result of popular elections? After all, patronage has grown to be what it is. When it first came into use, none but the patron may have been competent to give an opinion on the suitability of the candidate. Besides, when the feudal system was strong, any form of election would have been practically in the hands of the feudal lord. Yet, no doubt as feudal relations relaxed, it would have been otherwise; and ecclesiastical elections, had they been continued, would have been quite as free from feudal influences now as political elections are. Taking, however, into consideration the abuses of the latter, one would hardly plead for the introduction of ecclesiastical elections, which, however consonant they may be with justice and the practice of the early Church, would be practically a new system with us. But one may well claim some power of veto for the congregation, that they may not have clergy forced upon them against their will.

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stantial as it was really slender. And to all, throughout the length and breadth of the land, it gave an ecclesiastic, maintained in a great measure without their support, from whom they could require the services of religion. Thus, every disadvantage brings a corresponding advantage, and every advantage a corresponding disadvantage. It is the historian's duty to point out facts with impartial justice, and to weigh them in the balance one against the other.

*(2) Ecclesiastical matters settled by secular tribunal. (a) Synods convened by princes.*

Nor was the interposition of the sovereign in ecclesiastical matters limited to the appointment of the clergy. The convening of synods,[1] and ecclesiastical legislation, also formed part of the duties which he discharged. In the Roman Empire the sovereign had only taken a part in the general councils of the Church, leaving provincial synods to follow their own devices. It was otherwise in the West, where the conception of a double co-ordinate legislative body, was beyond the comprehension,—as it was in itself impossible,—of an uncultivated people. There not only were ecclesiastical synods, convened after consultation with the princes,

A.D. 650 until at length the Frankish king, Sigebert, decreed [2]

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[1] The Conc. Arel. iv. an. 813, says in its preface, LABBÉ, ix. 320 : 'Carolum Imperatorem, cujus jussu fraternitatis nostrae 'coetus est adunatus.' Concil. Mogunt. an. 813, *ibid.* 328, referring to Charles, thanks God 'quia sanctae ecclesiae suae 'tam pium ac devotum in servitio Dei concessit habere rectorem.' See also Concil. Rheims, Chalons, and Tours of the same year. In England the Synod of Whitby, an. 664, was presided over by King Oswy. BEDAE *Eccl. Hist.* iii. 25.

[2] Sigebert ad Desiderium, episcopum Cadurcensem, an. 650, in

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that synods could not assemble without the royal permission; not only had their decrees to be confirmed by the king, being previously invalid; but ecclesiastical and civil laws were drawn up at one and the same time, in the great meetings of the king's vassals,[1] and purely ecclesiastical synods fell altogether into abeyance.[2] The Abbot Columban complained that, in his time, synods were no longer held.[3] Gregory the Great had to apply to the Frankish princes for permission to hold a council for removing ecclesiastical abuses.[4] In the eighth century the same complaint was again repeated by Boniface, no synod having been held for eighty years in Austrasian France; and it was resolved that for the future one should be held every year.[5]

A.D. 600

590–604

742

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Baluz, *Capitular.* i. 143: 'Ut sine nostra scientia synodale con-'cilium in regno nostro non agatur.'

[1] Gies. ii. 242; Neand. v. 126; Planck, ii. 139.

[2] Concil. Nic. an. 325, Can. 5, had enacted: καλῶς ἔχειν ἔδοξεν ἑκάστου ἐνιαυτοῦ καθ' ἑκάστην ἐπαρχίαν δὶς τοῦ ἔτους συνόδους γινέσθαι. In England the Synod of Hertford, an. 673, Can. 7, Labbé, vii. 554; and Bedae *Hist. Eccl.* iv. 5, decreed: 'Ut bis in anno synodus congregetur: sed quia diversae causae 'impediunt, placuit omnibus in commune, ut Calendis Augusti in 'loco qui appellatur Clofeshooh semel in anno congregetur.' Concil. Calchutense, an. 787, Can. 3, Labbé, viii. 633.

[3] In his letter to the bishops convened on account of their quarrel with him, an. 600 according to Labbé, vi. 1342, he writes: 'Utinam saepius hoc ageretis, et licet juxta canones semel aut bis 'in anno pro tumultuosis hujus aevi dissensionibus semper sic 'servare vos non vacat, quamvis rarius potissimum hoc debuit 'vobis inesse studium, quo negligentes quique timorem haberent 'et studiosi ad majorem provocarentur profectum.' Epist. ii. Migne; quoted also by Neand. v. 127.

[4] See the letter of Columban in Migne.

[5] Concil. Germanicum, an. 742, Can. 1, Labbé, viii. 270:

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Under Pepin and Charles it continued to be the prevailing custom to draw up ecclesiastical and civil laws at one and the same time in the great national assemblies; and although Charles decided that the
A.D. 811 bishops, abbots, and counts should form a separate chamber for deliberation on ecclesiastical matters,[1] the ordinances of every kind, ecclesiastical as well as lay, were published under the imperial authority, as the published acts of the assemblies held at Arles, Rheims, Tours, Chalons, Mentz and elsewhere amply prove.

*(b) Popular assemblies enact canons.*

In other countries the case was similar. In England Christianity was probably accepted by a decision of the witan of Ethelbert.[2] That of Edwin is
600 distinctly stated to have renounced idolatry. On that occasion the chief of the Northumbrian priests, Coifi, and the thane previously, expatiated on the worthlessness of the old faith, Coifi in the spirit of
627 the rankest utilitarianism,[3] the thane in a spirit of

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'Statuimusque per annos singulos synodum congregari.' Zachariae Epist. i. 2 ad Bonifac. LABBÉ, viii. 231: 'Nimis moerendum est 'quod per spatia temporum ibidem synodus sacerdotum minime 'celebrata sit.'

[1] In 811. See PLANCK, ii. 139.

[2] KEMBLE, *Saxons in England*, ii. 205. The so-called *Dooms of Ethelbert* enacted by Ethelbert cum concilio Sapientium, *i.e.* by the Witenagemot, distinctly recognise Christianity. BEDA, ii. 5.

[3] 'Tu, vide, rex, quale sit hoc, quod nobis modo praedicatur: 'ego autem tibi verissime quod certum didici, profiteor, quia nihil 'omnino virtutis habet, nihil utilitatis religio illa quam hucusque 'tenuimus. Nullus enim tuorum studiosius quam ego culturae 'deorum nostrorum se subdidit, et nihilominus multi sunt, qui 'ampliora a te beneficia quam ego, et majores accipiunt dignitates, 'magisque prosperantur in omnibus, quae agenda vel acquirenda

deep earnestness, complaining of the unsatisfactoriness of the heathen faith to solve the problem of the future life.[1] Nor was it otherwise in Spain. A larger influence was, it is true, exercised by ecclesiastics in the general assemblies of state there than elsewhere. Indeed, the seventeenth Council of Toledo had decided that, during the first three days of such meeting, only spiritual affairs should be transacted, and that by the clergy alone;[2] but these results were due to the peculiar circumstances of the Visigothic kingdom in Spain; for there the successors of Reckared were obliged to make conces-

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'disponunt. Si autem dii aliquid valerent, me potius juvare 'vellent, qui illis impensius servire curavi. Unde restat, ut si ea, 'quae nunc nobis nova praedicantur meliora esse et fortiora, 'habita examinatione, perspexeris, absque ullo cunctamine susci-'pere illa festinemus.' BEDAE *Hist. Eccl.* ii. 13.

[1] BEDAE *Hist. Eccl.* ii. 13: 'Talis mihi videtur, rex, vita homi-'num praesens in terris ad comparationem ejus, quod nobis in-'certum est, temporis, quale cum, te residente ad coenam cum 'ducibus ac ministris tuis tempore brumali, accenso quidem foco 'in medio et calido effecto coenaculo, furentibus autem foris per 'omnia turbidinibus hiemalium pluviarum vel nivium, adveniens-'que unus passerum domum citissime pervolaverit; qui cum per 'unum ostium inpediens, mox per aliud exierit. Ipso quidem 'tempore, quo intus est, hiemis tempestate non tangitur, sed 'tamen minimo spatio serenitatis ad momentum excusso, mox de 'hieme in hiemem regrediens tuis oculis elabitur. Ita haec vita 'hominum ad modicum apparet; quid autem sequatur, quidve 'praecesserit, prorsus ignoramus. Unde si haec nova doctrina 'certius aliquid attulit, merito esse sequenda videtur.'

[2] Concil. Tolet. xvii. an. 694, Can. 1, LABBÉ, viii. 84: 'Insti-'tuendum credimus in initio totius adunationis, ut trium dierum 'spatiis percurrente jejunio, de mysterio Sanctae Trinitatis, aliis-'que spiritualibus, sive pro moribus sacerdotum corrigendis, nullo 'saecularium assistente, inter eos habeatur collatio.'

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sions to the Church, obtaining in return her sanction for their otherwise doubtful rights.[1] Yet even in Spain the kings convened councils and continued to be the supreme judges of bishops until the invasion of the Saracens put an end to their sovereignty.

D. *Results of these influences on the Church.*

(1) *Share of the bishops in secular legislation.*

By these alternate gains and losses, the position and influence of the Church on the State were materially altered, and assumed an altogether new character. Roman ideas were introduced among the Teutonic nations, and influenced their political institutions. To what extent these ideas were efficient in producing the Mediaeval Papacy has been already seen. It should not, however, be forgotten, how much they moulded the political institutions of Europe. For if ecclesiastical matters were settled in national assemblies, on the other hand, the higher ecclesiastics who took part in those assemblies decided in no small degree the course of civil legislation.[2] Side by side with the temporal barons sat the bishops, enacting, as they did at

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Calchuth,[3] that none but legitimate princes should be raised to the throne, on their sole authority electing Boso to be king of Arles,[4] and acting as special advisers and counsellors of kings, soon venturing to pronounce a sentence of deposition

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[1] NEAND. v. 128. [2] *Ibid.* v. 127; GIES. ii. 242.

[3] Concil. Calchutense, an. 787, Can. 16, LABBÉ, viii. 639: 'Decreto abdicitur filiis meretricum legitima haereditas.'

[4] *Recueil des historiens*, ix. 304 (quoted by HALLAM, *Middle Ages*, ii. 157).

on a sovereign.[1] The eighth, ninth, and tenth centuries were indeed the age of the bishops, as the eleventh and thirteenth century were the age of the greatness of the Papacy.[2] The political and ecclesiastical pressure which the bishops of the eighth and ninth centuries brought to bear upon the oppressed lower clergy and the superstitious laity was but an onward step, a process of transition towards that concentration of powers in the hands of the Popes, which was subsequently the great instrument of Papal oppression, of which they afterwards had themselves to complain.

*(2) Effects on the episcopate.*

*(a) Metropolitan bishops take the place of the old bishops of towns.*

Nor, again, was the position occupied by the State towards the Church without corresponding influence on the internal arrangements of the hierachy. Powerful as were the bishops of the eighth and ninth centuries, they needed indeed a strong arm to be able to assert their power in the midst of the reigning lawlessness. To secure their own position, they looked both above and below—within their dioceses and without them—to the bishop of a see more independent than their own and less liable to be swayed by the nod of the potentates who oppressed them; and to those among their clergy who could be instrumental in restraining others either by their rank or wealth. Within their dioceses—no longer restricted to an individual town with its outlying villages and hamlets, but extending over vast tracts

[1] Sentence of deposition was pronounced on Lewis the Pious by the bishops, an. 833. See HALLAM's *Middle Ages*, ii. 156; Conventus Compendiensis, LABBÉ, ix. 801.

[2] HALLAM, ii. 157.

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of thinly-populated territory—they sought to strengthen their influence by the institution of rural districts—capitula ruralia—at the head of which stood an archpresbyter or rural dean.[1] These deans exercised an oversight over the parish clergy and priests, and convened them on the first of every month, chiefly for spiritual exercises and deliberations. To the monarchical spirit of Latin Christianity in the ninth century, this institution seemed more congenial than that of Chorepiscopi, the former being *under* the metropolitan bishops, the latter being on a footing of spiritual *equality* with them. Thus the Chorepiscopi were gradually removed,[2] and it was at length established that those

[1] Archipresbyter or Decanias. See GIES. ii. 249. Dioceses were divided into Archdeaconries about 777 A.D.: the Archdeaconries were then subdivided into Deaneries. NEAND. v. 143. It was arranged that a court or *Send* should be held in every part of a diocese once a year. The Archdeacons were to go several days beforehand, and announce the bishop's visit. On his arrival the bishop was first to place the Deans, of whom there were seven, under oath, that they would faithfully report abuses. Next he would question them, whether pagan customs were observed, whether every father taught his son the Creed and the Lord's prayer, whether old crimes prevailed among the people. The punishments enacted by law were inflicted at once; and the civil authorities were required to assist the bishops. See GIES. ii. 243, note 19.

[2] Zachariae Epistol. ad Bonifacium, i. 1, an. 741, LABBÉ, viii. 231: 'Meministi enim, carissime, quid in sacris canonibus 'praecipimur observare, ut minime in villulas, vel in modicas 'civitates episcopos ordinemus, ne vilescat nomen episcopi.' Capit. Aquis. an. 789, Can. 9, LABBÉ, ix. 11: 'Vicariis episco-'porum, quos Graeci chorepiscopos dicunt, non licere presbyteros 'vel diaconos ordinare.' Concil. Francof. an. 794, Can. 22, LABBÉ, ix. 104: 'Quod non oporteat in villis, nec in vicis epi-'scopos ordinari.' GIES. ii. 250.

still existing should not have episcopal dignity and privileges, but only sacerdotal authority. This was the triumph of the episcopate of the ninth century. It changed, however, the position of the bishops entirely. The few bishops of the transalpine provinces, with their extensive sees, large revenues, and political power, were perhaps necessary in the age which gave them birth; but they corresponded more nearly to the metropolitan bishops of the fourth century than to any others. Meantime, the class of ordinary bishops had disappeared altogether; their functions had been divided between the parochial clergy and the new class of metropolitan bishops. The change from bishops to metropolitan bishops was no doubt due to simple causes, but not to causes more simple than those which produced the change from the metropolitan system to the Papacy. In both cases the active power was the same, the Latin love of centralisation.

*(b) The new bishops strengthen their position against the secular power by acknowledging the Pope.*

On the other hand, the bishops of the ninth century sought to establish their influence also by looking without their dioceses. Constantly attacked by princes and kings, they needed protection against the oppressive tyranny of the civil rulers, which the right of appeal to a foreign bishop at Rome alone secured.[1] Never would the False Decretals have been accepted so readily by the clergy from one end of Europe to another, had there not been thereby held out to them a protection from tyranny at home, which most of the clergy felt they needed. Never

[1] See GIES. ii. 245, note 28.

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would bishops, themselves only too greedy of power, have put themselves under a foreign bishop, had they not thereby gained additional protection. Never would they have revived the canons of Sardica, and acted on them by so often appealing to the Popes, had they not known the immeasurable advantages afforded by the ecclesiastical courts of that age over the secular ones, of a foreign independent court over one liable to every kind of sinister home-influence. When partiality, bribery, and injustice were the rule of the secular tribunals, the ecclesiastical courts, possessing a more definite code of laws, at least aspired to justice. When justice could not be got at home, owing to the undue influence of powerful nobles, it could be got abroad at a court which was usually exempt from the influence of both contending parties. And if, in her pursuit of power, Rome sometimes decided on the side of wrong, such instances of injustice were rare. They generally arose from the unwillingness of one of the parties to appear before her tribunal. Her decisions—be it said to her credit—were mostly just, and in the interests of morality.

*(3) Beneficial results of ecclesiastical influence on society.*

*(a) In lessening the evils of slavery.*

The influence wielded by the Church was attended with most beneficial results on the civil relations of society. The practice of slavery, common among the Germanic nations as it had been among the Greeks and Romans, but inwardly opposed to the true spirit of Christianity, was gradually mitigated under the Church's influence until it waned, and at length entirely disappeared. Frequent instances occur of slaves being set at liberty by bishops, some-

times, as in the case of Gregory the Great, from the highest Christian motives,[1] but at other times preparatory to their being received into the clerical order. Often, however, slaves were ordained by bishops without being previously enfranchised, or else received into monasteries, such clergy being absolutely at the bishop's disposal. The fact that slaves were admitted to orders at all could not fail to place them in an advantageous light before the eyes of the people. It brought home to that superstitious race, the truth of the common brotherhood of all men. In other ways, too, the Church held out a helping hand to lessen the sufferings of slaves. In the Church they met with shelter and relief.[2] The Council of Epaon, as early as

[1] The deed manumitting them begins, lib. vi. Ep. 12, GREGOR. *Op.* Bened. ed. ii. p. 800: 'Cum Redemptor noster, totius con-'ditor creaturae, ad hoc propitiatus humanam voluerit carnem 'assumere, ut divinitatis suae gratia dirupto quo tenebamur capti 'vinculo servitutis, pristinae nos restitueret libertati; salubriter 'agitur si homines quos ab initio natura liberos protulit, et jus 'gentium jugo substituit servitutis, in ea qua nati fuerant, manu-'mittentis beneficio, libertate reddantur.'

[2] NEAND. v. 133, quotes from GREGORY OF TOURS, *Histor.* v. 1, iii. the story of a slave who had been engaged to a fellow-slave in the service of the same master. They finally went to the priest and were married. No sooner had the master been informed of what was happening, than he hurried to the church and demanded their surrender. The priest, however, refused to give them up except on condition that their marriage should be respected and that they should not be separated. To this the master assented; but no sooner had he obtained possession of their persons, than he bound them together and buried them alive. The priest hearing of this act of cruelty, hastened to the master, and would not leave him until he had given his consent that both

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517,[1] decreed that slaves who took refuge in a church should be excused from corporeal punishment: a few years later, the Council of Arles[2] obliged masters to keep their word to a slave under pain of excommunication. Moreover, the redemption and manumission of slaves was reckoned as one of the principal works of charity.

A.D. 549

*(b) In abolishing pecuniary fines for crime.*

Still more in the administration of justice was the softening influence of Christianity felt. Under that influence, the practice of atoning for all offences, even murder, by the payment of a pecuniary fine, or wergild,[3] a practice based on the theory that all violence is simply an infringement of another's property, gradually disappeared, and the idea of sin was brought home to the Teutonic mind. Positive

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should be dug up again. It was, however, unfortunately too late: for the young man only was saved; the woman was suffocated.

[1] Concil. Epaon. an. 517, Can. 39, LABBÉ, v. 716: 'Servus 'reatu atrociore culpabilis si ad ecclesiam confugerit, a corpora- 'libus tantum suppliciis excusetur. De capillis vero, vel quocum- 'que opere, placuit a dominis juramenta non exigi.'

[2] Concil. Aurel. v. an. 549, Can. 22, LABBÉ, v. 1382: 'De 'servis vero, qui pro qualibet culpa ad ecclesiae septa confugerint, 'id statuimus observandum, ut sicut in antiquis constitutionibus 'tenetur scriptum, pro concessa culpa datis a domino sacramentis, 'quisquis ille fuerit, egrediatur de venia jam securus.'

[3] According to LAPPENBERG, *History of England under the Saxons* (Thorpe's English translation), ii. 336, 337, the 'wer' of a ceorl was 30*s.*, that of a six-hynde man 80*s.*, and that of a twelve hynde-man 120*s.* In case of murder, the relations of the slain received the whole wergild annexed to his rank, the relations of the slayer being bound to present him to justice that he might be made to pay. Should the slayer flee, his relatives were called upon to pay the wergild, but in this case they were not required to pay the whole but a sum varying according to their degree of affinity. See NEAND. v. 137.

justice, and regular forms of law succeeded to pecuniary justice, and to the license accorded to wealth. At the same time, the more rigid administration of justice which now grew up, was tempered by ideas of mercy and compassion. Whilst a special sacredness was attached to human life, and the forfeiture of life was denounced as the penalty for murder, there were not wanting pious monks, and even ecclesiastics, who were altogether opposed to capital punishment. Sometimes, as in the case of Alcuin,[1] the intellectual prime minister of the Emperor Charles, dislike of capital punishment was openly avowed; but more often it showed itself only in a covert manner. The clergy interceded with the judges to obtain a milder punishment for the guilty; they sought to procure pardon for those condemned to death, or, in case they failed, attempted to reanimate their bodies when taken down from the gallows. If these intercessions were occasionally carried to such an extent as to interfere with the existence of civil order, nevertheless, they brought the Church before men's minds as a beneficent and kindly power, and taught a lesson of gentleness and charity to an age which needed such lessons to correct its hardness.

*(c) In showing mercy.*

In the same spirit of charity, the privilege and right of asylum was claimed by prelates for churches. Under the Roman Empire, this privilege had legally attached to churches, based on an ancient custom

*(a) By privilege of asylum.*

[1] ALCUIN. Ep. 176: 'Non ego tamen mortem alicujus suadeo; 'dicente Deo Ezek. xxxiii.: Nolo mortem peccatoris, sed ut con- 'vertatur et vivat; sed ut sapienti consilio vindicta fiat per alia poe- 'narum genera vel perpetuum [carcerem vel] exilii damnatione[m].'

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handed down from Pagan times. Passing from Rome to the West, it became a most important and salutary privilege in days of arbitrary rule and impetuous cruelty. For the moment, the persecuted were safe from their oppressors, serfs from their masters, criminals from the hand of justice. Time was allowed for the outburst of passion to cool down, for the clergy to interpose as mediators. The laws of Ine required that the penalty of death should be commuted into a fixed pecuniary fine, in all cases in which the guilty persons took refuge within the asylum of a church.[1] Lest, however, this privilege should be abused, and those places of refuge should become places of impunity for transgressors,

A.D. 779 a capitulary of Charles commanded that no means of subsistence should be allowed in them, to murderers and others liable to capital punishment.[2] Popular feeling was, however, strong in favour of these rights, stronger even than legal enactment; and if, as from time to time occurred, they were infringed by the less scrupulous or more insolent nobles, men did not fail to watch narrowly the subsequent career of the delinquent, and to see in any misfortune which befel him a visible manifestation of Divine judgment, and a terrible warning to others to abstain from following his example.[3]

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[1] See NEAND. v. 139.

[2] WILKINS, *Concil. Aug.* p. 59.

[3] NEAND. v. 138, quotes from GREGORY OF TOURS, iv. 19, the story of a duke who had fled from the oppression of the Frankish prince, Chramnus, to the church of St. Martin of Tours. Chramnus, in the hope of starving him to submission, had the church sur-

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(1) *By relieving the destitute and protecting the oppressed.*

Nor was the Church behindhand in inculcating on her clergy the duty of themselves succouring the needy and the oppressed. The fifth Council of Orleans[1] decreed that on every Sunday, the archdeacon or presiding clergyman should visit the prisons, in order that the wants of the prisoners might be mercifully provided for; and it required the bishop to take care that a sufficient supply of food for this purpose was furnished by the Church. In Spain, the fourth Council of Toledo[2] decreed that bishops should not neglect the sacred charge of

A.D. 549

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rounded and narrowly watched. By some means or other, however, a jug of water was conveyed to the church when the unfortunate man was nearly dead. The local judge at once interposed to prevent his using it himself, and poured the contents on the ground. The very same day he was attacked by a fever and died. Such was the sensation which this occurrence created that food was brought in abundance from all quarters. The unfortunate man was saved, and, to crown the whole, Chramnus himself at a later period met with a miserable end.

[1] Concil. Aurel. v. an. 549, Can. 20, LABBÉ, v. 1382: 'Id etiam 'miserationis intuitu aequum duximus custodiri, ut qui pro qui-'buscumque culpis in carceribus deputantur, ab archidiacono seu 'a praeposito Ecclesiae singulis diebus dominicis requirantur, ut 'necessitas vinctorum secundum praeceptum divinum misericor-'diter sublevetur; atque a pontifice, instituta fideli et diligenti 'persona, quae necessaria provideat, competens eis victus de 'domo ecclesiae tribuatur.'

[2] Concil. Tolet. iv. an. 633, Can. 32, LABBÉ, vi. 1460: 'Epi-'scopi in protegendis populis ac defendendis impositam a Deo 'sibi curam non ambigant; ideoque dum conspiciunt judices et 'potestates, pauperum oppressores existere, prius eos sacerdotali 'admonitione redarguant; et si contempserint emendare, eorum 'insolentiam regis auribus intiment: ut quos sacerdotalis admo-'nitio non flectit ad justitiam, regalis potestas ab improbitate 'coerceat. Si quis autem episcoporum neglexerit, concilio reus 'erit.'

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defending and protecting the people, but should endeavour first by priestly admonition, or, failing that, by appeal to the king, to set judges and magistrates right, when they acted as oppressors of the poor. A.D. 589 Even a royal law[1] had already ordained that judges and tax-gatherers should learn from the bishops how to treat the people with piety and justice, and required the bishops to keep an eye on the conduct of the judges. An opportunity was thus placed within their reach of exercising a great and salutary influence on the habits of civil society—an opportunity, by many no doubt neglected, whilst they were involved in the vortex of secular affairs, and indifferent to their spiritual charges; but one warmly embraced by others who took a higher view of their calling, and were honestly bent upon raising and improving the condition of their fellow-creatures.[2]

*(d) The Truce of God.*

*(a) First attempts.*

A.D. 994–1031

Perhaps the most remarkable step towards this end, and one most indicative of the power of the Church over the minds of men, was the establishment of the Truce of God at the beginning of the eleventh century. In that century, opening amidst wars and rumours of wars, when the already slender bands of government were still further relaxed by the general anticipation of the coming end of all things, the

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[1] Concil. Tolet. iii. an. 589, Can. 18, LABBÉ, vi. 710, observes: 'Sunt enim prospectores episcopi *secundum regiam admonitionem* 'qualiter judices cum populis agant?' Capitul. Bajoar. an. 803, c. iv. PERTZ, *Monum.* iii. 127: 'Ut episcopi cum Comitibus 'stent, et Comites cum Episcopis, ut uterque pleniter suum mini-'sterium peragere possint.' See GIES. ii. 243.

[2] See the note NEAND. v. 140.

practice of private warfare had gained a memorable ascendency. Everywhere noble was engaged in war with noble; the right of the stronger was alone respected. There reigned in fact a political chaos. Then it was that an attempt was made by the bishops assembled at Limoges[1] on the occasion of an unlooked-for year of plenty, after several years of severe famine, to bring the feeling of gratitude and contrition to some real fruit. Already at several ecclesiastical assemblies,[2] at those of Orleans[3] and Burgundy,[4] the bishops had exhorted the people to peace, in some instances probably resorting to pious frauds to attain their object. Their exhortations, coming at an opportune moment, now found ready listeners. Everywhere the cry for peace resounded. The people were admonished to lay aside all weapons of war, and mutually to forgive all injuries. Every Friday they were to restrict themselves to a diet of bread and water; every Saturday to abstain from flesh and all food of fat. To this they were to pledge themselves upon oath; and in return all ecclesiastical penances were to be forgiven them. It was a grand attempt, and a truly Christian conception; and yet it met with opposition from some of the bishops; from Gerhard, for instance, bishop of Arras and Cambray.

A.D. 1032

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[1] Concil. Lemovic ii. an. 1031, LABBÉ, xi. 1232 *seq.*

[2] Chron. Ademari in BOUQUET, x. 147, an. 994: 'Pactum 'pacis et justitia a Duce et Principibus vicissim foederata est.' MANSI, Suppl. to LABBÉ, i. 1199. See NEAND. vi. 183.

[3] Fulberti carnot. Ep. 21 ad Robert. in BOUQUET, x. 454. King Robert, an. 1016, proposed a council at Orleans de pace componenda.

[4] BOUQUET, x. 201.

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Nor was it altogether successful, since the excitement of feeling soon passed away, and the proposed universal peace, as has so often since been the case, was never realised.

(3) *Second attempt successful.* A.D. 1042

Greater success, however, attended a second attempt of a less exacting character, made ten years later. It was enacted by William Duke of Normandy, afterwards king of England, at a synod held at Caen,[1]—and from that time forth the enact-

[1] Synodale decretum de pace apud Cadomum, an. 1042, LABBÉ, xi. 1294: 'Fratres in Domino carissimi, in pace quae vulgo 'dicitur Trevia Dei, et quae die Mercurii sole occidente incipit, 'et die Lunae sole nascente finit, haec quae dicam vobis prom- 'ptissima mente dehinc in antea debetis observare: Nullus homo 'nec foemina hominem aut foeminam usquam assaliat, nec vul- 'neret, nec occidet, nec castellum, nec burgum nec villam in hoc 'spatio quatuor dierum et quinque noctium assaliat nec deprae- 'detur, nec capiat nec ardeat ullo ingenio, aut violentia, aut aliqua 'fraude. Quod si aliquis, quod absit, illam non tenendo quae 'praecepimus infregerit; si non 30 annorum poenitentiam in exilio 'fecerit, et antequam ab Episcopatu nostro exeat, quicquid fecit 'contra pacem emendaverit, a Domino Deo sit excommunicatus 'et a tota Christianitate sit separatus. . . .

'Praeterea fratres, hanc pacem et Treviam Dei de terris ac de 'bestiis, insuper de rebus omnibus quae haberi possint, tenebitis 'inter vos. Quod si quis aut aliquam bestiam, aut etiam obolum, 'sive vestimentum in ista pace tulerit alieni, sit excommunicatus, 'donec ad emendationem venerit. . . .

'Ceterum in hac pace nullus nisi Rex aut Comes caballica- 'tionem aut hostilitatem faciat; et quicumque in caballicatione 'aut hostilitate Regis fuerit, in hoc Episcopatu: nihil plusquam 'sibi ac suis equis necessaria ad victum accipiant. Mercatores 'autem, et omnes homines qui ab aliis regionibus per vos trans- 'ierunt, pacem habeant a vobis.

'Hanc etiam Dei Treviam ab initio Adventus Dominici usque 'ad Octavas Epiphaniae, et a capite jejunii usque ad Octavas 'Paschae, et a diebus Rogationum inchoantibus per omnes dies 'tenebitis.'

ment became a custom—that, in remembrance of Christ's passion and resurrection, no person should be arraigned before a tribunal from Thursday evening until Monday morning, nor should any person use violence towards another during that interval. Those four days were to be days of peace, and hence they were called the Truce of God, Treuga or Trevia Dei. Moreover, the non-observance of this truce was visited by the penalty of excommunication, and, in case reparation were not forthcoming, the right of sepulture was denied to such as died excommunicated.

Thus, Church and State, political and ecclesiastical relations, interlaced and intertwined in a way previously unknown; and thus were laid the foundations for the great political Church-system which reigned supreme from the time of Hildebrand to that of Boniface VIII. An observant eye might have already detected on the horizon of history traces of the near approach of the Holy Empire. It might have observed how the centralising influence of the feudal system was simultaneously consolidating both Church and State; wresting the power out of the hands of the people to place it in the hands of the emperor, out of the hands of the clergy to place it in the hands of the Popes. The Church had become an aristocratic, not a democratic institution. She was soon to become imperial. The local bishops of the three first centuries, with their parliaments of presbyters, had disappeared. Metropolitan bishops with absolute powers had succeeded them: they were about to be displaced by one more powerful

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than themselves. The free elections of primitive times had gone into disuse; nomination by great lay lords had superseded them. The voice of laymen in Church matters, unless they happened to be princes, was stifled; the independence of priests was gone. A few great men governed the State; a few great prelates ruled the Church. Once it had been a note of Christianity, that to the poor the Gospel was preached. Now it was otherwise: the Gospel was for princes, and the way to heaven was open for the great and the wealthy. Was the change a falling away, or was it a necessity? Could the poor only be won by winning the great? Could they only be retained by retaining the great? Or was it that the Church was leaving her children to go after her lovers? Those who have studied the subject most deeply have given to this question the most opposite answers. It may, therefore, be impossible here to dogmatise. But one thing is certain. If, notwithstanding a variety of opinions on this point, none can deny the civilising influence of Christianity during these centuries of ignorance, no doubt, but yet of heroism, is it just to call them ages of darkness? With all our intellectual light, does the light of our morality shine so brightly as did theirs?

# Part II.

# AGE OF GREATNESS.

1046—1303.

# CHAPTER VII.

## THE HILDEBRANDIAN ERA.

(1046—1085.)

*Et dominabuntur eorum justi in matutino.*—Ps. xcviii. [xcix.] 15.

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A. *Causes of reform.*

A NEW day dawned on the Papacy after the dark night of Italian party-strife when by the synod at Sutri, acting under the guidance of Henry III., the three rival claimants were deposed, and the German, Clement II., was elevated to the Papal dignity. Sunk as the Church had been during the last century in a deep slough of vice, simony and intrigue, save when it received a few better appointments at the hands of the emperors Otto I. and Otto III., it now owed its permanent elevation to the appointment made by another emperor, Henry III. The grateful synod of Sutri owned its obligations to Henry, and granted to him, as the synod of Rome had already done to Otto I., as Hadrian II. had granted to Charles the Bald,[1] the privilege of nominating the Popes in future. One party alone was aggrieved by this concession: the Roman people

A.D. June, 964

[1] Both of these grants are denied by Severinus Binius. See LABBÉ, xi. p. 892, ad an. 964. He maintains that the emperors never received the right of appointing the pontiffs, and that the historian Luitprand 'plusquam oportebat, Ottoni favit.'

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and clergy who had formerly enjoyed this right; and the grievance of the Roman clergy found a mouthpiece and a ready agent in the young but zealous subdeacon Hildebrand. This monk, regardless of the services conferred by the emperors, and with no appreciation of the practical benefits of such an arrangement, considered it a sacrilege that the emperor should nominate the sovereign Pontiff; and, uniting with the aggrieved Roman people to remedy this abuse, entered on a long struggle with the Empire, out of which he came forth successful indeed, but lost his advantage by his bitterness towards a fallen foe.

*(a) Italian party alarmed.*

The Italians were alarmed at the granting away of a right so valuable for their own interests. They had been accustomed to look upon the bishopric of Rome as their own peculiar property during the last one hundred and fifty years. With few exceptions they had seen it filled by Italian after Italian, often worthless, frequently avaricious, but still Italians, who, to secure their own election, had had to conciliate the most powerful families of Italy, and whose very vices were national. Now they found themselves debarred from all participation in the election. Whether willing or unwilling, they were forced to receive German after German as their bishop, at the bidding of a ruler at once powerful, severe, devout. Opposition would have been fruitless. They dissembled their ill-will, yielding that obedience which is due to the stronger until the death of the emperor should bring a favourable opportunity for resistance.

Meantime there was a small but growing party at

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whose head stood Peter Damiani[1] and the monk Hildebrand,[2] who were dissatisfied with the existing state of things on entirely different grounds. No national or interested considerations swayed their policy; but holding high ideas of the functions of the clergy, and of the dignity of the Roman bishop, it seemed to them a sacrilegious act that he should owe his authority to a secular monarch. A real zeal for the restoration of the dignity of the priesthood, and of a stricter Church discipline, distinguished Peter Damiani, bishop of Ostia, among his cotemporaries; but his zeal, though earnest, was not free from narrowness and bigotry. Of the two, the mind of Hildebrand was the more energetic. His monastic life had imbued him with deep earnestness, while his travels in company with the deposed Gregory VI. had given him a knowledge of the world. Nor was it long before an acquaintance and friendship with Leo IX. enabled him to exercise the greatest influence over the policy of that Pope and his successors, and ultimately to place himself upon the chair of St. Peter.

*(b) Earnest men aroused.*

Hitherto the initiative in all measures of reform

*(c) Reforms come from within.*

[1] Peter Damiani, bishop of Ostia, was an earnest man but narrow and bigoted, zealous for the restoration of the dignity of the priesthood, and of a stricter Church discipline. NEAND. vi. 146.

[2] Hildebrand was a native of Soan in Tuscany, the son of a carpenter. He received his first training in the monastic life under the direction of an uncle, who was an abbot in a Roman monastery. Among his teachers were Laurentius, archbishop of Amalfi, and Pope Gregory VI. See LABBÉ, xii. 230; NEAND. vi. 147.

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had been due to the interposition of the civil magistrate. Now, under the combined influence of the Italian and the ecclesiastical parties, a new phase appears in the history of the Papacy: reforms come no longer from without but from within the Church; they emanate in fact from the Popes themselves. Nothing more clearly marks the Hildebrandian era than this change. At the beginning of that era, the Church seemed sunk in corruption, and any checks to its headlong course of vice were set by the summary power of the imperial party; at its close this state of things had entirely changed. All lovers of reform, all who aspired to a higher Christian life, had rallied around the standard of the Popes; the profligate, the dissolute, the worldly clergy were left, though not alone, to defend the emperors. The prejudice and narrow-mindedness of modern times may see in Hildebrand nothing but an ambitious Pontiff, endeavouring to enforce on the clergy a restriction contrary to the Gospel. Not so thought his cotemporaries; not so thought the morally earnest men of that time: to them as to Hildebrand the marriage of a priest seemed little short of adultery.

*B. Chief points of reform.*

*(1) Independence of the Popes.*

*(a) Steps taken in*

One of the first objects of Hildebrand's design was to make the Popes independent of the emperor; nor was it long before this design began to show itself. He appeared before Leo IX. on the occasion of his being appointed by the emperor, in the year 1049,[1] and with that extraordinary power of swaying

[1] Clement II. appointed by the emperor Henry III. in 1046, died in 1048. Damasus was nominated by Henry in his place.

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*the lifetime of Henry VI.*

the minds of others, to which so much of his after success was due, he induced him to lay aside all the insignia of the dignity to which he had been appointed, to travel to Rome in the habit of a pilgrim, and not to consider himself invested with the sacred office until he had been there chosen in the customary form.[1] On the death of Leo IX., he secured for himself the appointment of plenipotentiary of the Roman clergy and the Roman people, and travelled to the court of the emperor in order to support the claims of his own candidate, Victor II.:[2] but the emperor dying in the next year, whilst a child was left at the helm of the state, Hildebrand was enabled to take a bolder line.

A.D. 1055

*(b) Foundation of the College of Cardinals.* 1059

During Hildebrand's absence, Stephen IX.[3] was elected by the people, as was also Benedict X.[4] on

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See LABBÉ, xi. 1315, but died twenty-three days later. He was succeeded by Bruno in 1049, who took the name of Leo IX., and was followed in 1055 by Victor II. For the life of Leo IX. see LABBÉ, xi. 1317.

[1] NEAND. vi. 148.

[2] Gebhard of Eichstadt succeeded Leo IX. in the year 1055 by the name of Victor II. He died July 28, 1057, and was followed by Stephen IX. His life, LABBÉ, xii. 1. For the part taken by Hildebrand in his appointment see NEAND. vi. 155.

[3] Stephen IX. succeeded Victor II. in 1057. He died in April 1058, and was succeeded by Benedict X. See LABBÉ, xii. 23.

[4] Benedict X. was appointed by Leo of Ostia and the Count of Tusculum in 1058, during Hildebrand's absence from Rome. The election was therefore a violation of the decretum of Stephen IX.: 'Ut si, antequam Hildebrandus Romanae tunc ecclesiae 'subdiaconus ab Imperatrice, ad quam pro quibusdam reipublicae 'negotiis communi consilio mittebatur, rediret, se mori contingeret, 'nullus omnino papam eligere auderet: sed usque ad illius reditum 'sedes apostolica intacta vacaret, ejus demum ordinandi consilio.'

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the death of Stephen. The former election was acquiesced in by Hildebrand; the latter Pope he deposed and substituted Nicholas II.[1] in his place. Nevertheless, to prevent future cavil, the concurrence of the imperial court was obtained for his election. But Nicholas II. had no sooner been consecrated, than taking advantage of the unsettled state of the empire, Hildebrand thought the time come to deal a blow at the imperial prerogative and to undo what the synod of Sutri had previously ratified.[2] In the Lateran council of the year 1059, a decree was passed by his influence.[3] It provided that the

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LABBÉ, xii. 24. Benedict X. was accordingly regarded by Hildebrand as an antipope.

[1] Gerard, bishop of Florence, who took the name of Victor II., was elected by the banished cardinals, an. 1058, but was not installed as Pope till the following year. He died in July 1060, whereupon there was a vacancy in the See for nearly three months. LABBÉ, xii. 28.

[2] NEAND. vi. 156.

[3] The decretum, LABBÉ, xii. 50, after recounting the late troubles, continues: 'Quapropter instructi praedecessorum nos-'trorum, aliorumque sanctorum patrum auctoritate, decernimus 'atque statuimus, ut abeunte hujus Romanae ecclesiae pontifice, 'in primis cardinales episcopi diligentissime simul de electione 'tractantes, mox ipsi clericos cardinales adhibeant, sicque reliquus 'clerus, et populus ad consensum novae electionis accedat: nimi-'rum praecaventes, ne venalitatis morbus aliqua occasione sub-'repat. Et ideo religiosissimi viri praeduces sint in promovenda 'pontificis electione; reliqui autem sequaces. Certus vero atque 'legitimus electionis ordo perpenditur, si perspectis diversorum 'patrum regulis, sini gestis, etiam in illa beati Leonis praedeces-'soris nostri sententia recolatur: *Nulla*, inquit, *ratio sinit, ut* '*inter episcopos habeantur, qui nec a clericis sunt electi, nec a plebibus* '*expetiti, nec a comprovincialibus episcopis cum metropolitani judicio* '*consecrati.* Quia vero sedes apostolica cunctis in orbe terrarum

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Pope should be chosen by the cardinal bishops and priests with the consent of the rest of the Roman clergy and the Roman people; and left to the emperor a merely nominal participation in the appointment. But Hildebrand had calculated his strength. He knew that he could not only rely on the support of the Italians, but that he also had the sympathies of the most virtuous prelates of the day: and he knew that he could expect assistance from the turbulent Normans, whose settlement in southern Italy had A.D. 1054 been sanctioned by Leo IX.,[1] and was anew sanc- 1059

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'praefertur ecclesiis, atque ideo supra se metropolitanum habere 'non potest; cardinales episcopi procul dubio metropolitani vice 'funguntur, qui videlicet electum episcopum ad apostolici cul- 'minis apicem provehant.

'Eligatur autem de ipsius ecclesiae gremio, si reperitur idoneus; 'vel si de ipsa non invenitur, ex alia assumatur: salvo debito 'honore et reverentia dilecti filii nostri Henrici, qui impraesen- 'tiarum rex habetur, et futurus imperator, Deo concedente, 'speratur, sicut jam sibi concessimus; et successoribus illius, qui 'ab apostolica sede personaliter hoc jus impetraverunt. Quod 'pravorum atque iniquorum hominum ita perversitatis invaluerit, 'ut pura, sincera, atque gratuita fieri in Urbe non possit electio; 'cardinales episcopi cum religiosis clericis, catholicisque laicis, 'licet paucis, jus potestatis obtineant eligere apostolicae sedis 'pontificem, ubi congruere viderint. Placuit postquam electio 'fuerit facta, si bellica tempestas, vel qualiscumque hominum 'conatus, malignitatis studio restiterit, ut is qui electus est in 'apostolica sede juxta consuetudinem auctorisari non valeat: 'electus tamen, sicut verus Papa obtineat auctoritatem regendi 'Romanam ecclesiam et disponendi omnes facultates illius.'

[1] Leo IX. had taken the field against the Normans, been defeated, and taken captive by them. Hereupon he deserted an alliance which he had preached as the cause of God, and ratified the past and future conquests of the Normans. GIBBON, vol. v. ch. lvi. p. 334; see also MILMAN, vol. iii. book vi. ch. ii. p. 404.

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tioned by Nicolas II.[1] Nevertheless, at his own elevation in the year 1073, Hildebrand took the precaution of deferring his inauguration until he had received the emperor's assent; thinking it no doubt politic to yield on this point,[2] lest a rival Pope might baffle him in the execution of his other reforms. But at the same time that he yielded to the emperor, he was making a protest against the emperor's claim to interfere, by taking the title of Gregory VII., thus recognising his predecessor, Gregory VI., as a lawful Pontiff.

*(2) Clerical celibacy.*

*(a) Reasons for it.*

*(b) Clerical marriage considered immoral.*

Besides securing the free election of the Popes by the college of cardinals, two other points chiefly occupied the attention of the reformers of the Hildebrandian era—simony and marriage, or as it was then considered, the immorality of the clergy.[3] Many circumstances combined to make the Pope anxious to put a stop to the latter evil. The growing respect for the monastic life led all, both clergy and laity, to regard a state of celibacy as higher than a state of

A.D. 843

marriage. The influence of the False Decretals, drawing as they did a hedge of privilege around the

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[1] At the Synod of Amalfi Robert Guiscard was invested by Nicolas II. with the ducal title, together with Apulia, Calabria, and all the lands both in Italy and Sicily, which his sword could rescue from the schismatic Greeks and the unbelieving Saracens. BARONIUS, *Ann. Eccls.* an. 1059, No. 69; LABBÉ, xii. 53, ad an. 1059; GIBBON, v. 337.

[2] In his life, apud LABBÉ, xii. 231, is the following: 'Patet ex 'actis vitae hujus Gregorii in quibus refertur, quod cum ille ad 'regem scripsisset, ne vigore concessi privilegii factae electioni 'assensum praeberet, rex non modo non dissenserit, sed missa 'legatione factam electionem confirmavit.'

[3] NEAND. vi. 149; GIES. iii. 9.

clergy, also led the laity to regard clerical marriage as immoral and as simply open vice. It mattered not whether this view were right or wrong: as long as it prevailed, the spectacle of clergy living in the married state must have seemed a scandal. Hence no sooner was the desire manifested to reform the Church, than one of the first points to which attention was directed, was that of clerical immorality. In theory and law, the marriage of ecclesiastics had always since the time of Siricius been forbidden in the Western Church; but it was now felt desirable to enforce by new sanctions a law, which constant violations had almost rendered obsolete.[1]

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A.D. 385

*(β) Celibacy necessary to prevent the clergy from being overwhelmed in worldly feuds.*

Another reason for insisting on clerical celibacy was, the wish to separate more definitely the clergy from the world. By their relationships, their marriages and their intrigues, the bishops and Popes of the preceding epoch had been entangled in all the disputes and struggles which make up the ordinary life of an unsettled state of society. Into how many troubles had they not been drawn by these relations! Into how many scenes of bloodshed and violence had they not been brought! The Church seemed likely to lose her distinctive character altogether amidst the feuds

[1] NEAND. vi. 149. Among the decreta Nicolai II. LABBÉ, xii. 36, No. iv.: 'Ut presbyteri et diaconi et subdiaconi et omnes 'qui canonici sunt uxores non habeant. Et si duxerint, depo-'nantur.' Concil. Roman. an. 1059, LABBÉ, xii. 44, Can. 3: 'Ut nullus missam audiat presbyteri, quem scit concubinam indu-'bitanter habere, aut subintroductam mulierem.' Concil. Turon. an. 1060, LABBÉ, xii. 60, Can. 6; Concil. Roman. I. an. 1063, LABBÉ, xii. 138, Can. 3; Concil. Gerundense, an. 1068, LABBÉ, xii. 174, Can. 7: 'A presbytero usque ad subdiaconum si uxorem 'duxerint, aut concubinam retinuerint, de clero exeant.'

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A.D. 1042

of her rulers. Besides, it must be remembered, that the practice of private war had been unlimited. Not until four years before the Papacy of Clement II., had the Church, by establishing the Truce of God, been able to put any check to this practice.[1] Before all things, therefore, it was necessary to raise the bishops out of the domain of private warfare, out of the atmosphere of the castle and the battle-field, and to make them realise that theirs was a spiritual mission; that if they took part in the contentions of this world, it must be done by them not as isolated units, but as members of a great spiritual body, not by the carnal weapons of flesh, but by the spiritual weapon of excommunication.

(γ) *Celibacy necessary to form a spiritual army.*

It may be said that such a separation of the clergy from society was a withdrawal of a leavening influence from the world; but this statement does not give a true view of the case. In a rude state of society, individuals standing alone are powerless to stem the current; they are swept away by it, and are often even carried along by it more rapidly than others. Strong lawlessness needs to be met by strong co-operation, and this Hildebrand did not fail to remember in his reforms. His motive in enforcing clerical celibacy was not only to withdraw the clergy from too close connection with the world, but to unite them in a grand spiritual army. His aim

[1] The Truce of God was sanctioned in 1042. See p. 182. The first of the decreta of Nicolas II. LABBÉ, xii. 36 is: 'Primum 'quidem ut pax et Treuga Domini a fidelibus Christianis reperta 'et laudata, sicut scriptura habentur, ita firmiter teneantur, infrac- 'tores vero anathemate feriantur.' It was again sanctioned by Alexander II. an. 1065, LABBÉ, xii. 151, and 1069, LABBÉ, xii. 175.

was to draw about him a band of many supporters. In this aim he was successful. All those who wished to see a higher tone of morality, all who believed in the spiritual functions of the clergy, all who had sufficient foresight to know that a strongly concentrated ecclesiastical army was absolutely necessary to defend the Church against the wild attacks of a rude age, were on the side of clerical celibacy. None of them probably foresaw how grossly the power they fostered would afterwards be abused.

*(b) How enforced. (a) By early Popes.*

Nor did the reform of clerical immorality come too soon. When a cotemporary could say that so low was the morality of the bishops and clergy, and of the Popes themselves, that no salt was left wherewith to salt the earth; when a bishop could be allowed to seduce the betrothed wife of his uncle with such impunity, that the latter could not even obtain a hearing from the Pope;[1] when Bishop Ratherius could complain,[2] that among his clergy, not one was free from adultery or a worse vice; it was indeed necessary that a stern and sweeping reform should be inaugurated. Leo IX. began by reviving the ancient laws concerning celibacy;[3] but it

[1] BERENGAR OF TOURS, *De Coena Sacra*, tells this story of the bishop of Vercelli, an. 1050, and Leo IX. was the Pope from whom the injured nobleman could obtain no redress.

[2] 'Quam perdita tonsuratorum universitas, si nemo in iis, qui 'non aut adulter aut sit arsenokoita? Adulter enim nobis est, 'qui contra canones uxorius.' See NEAND. vi. 150.

[3] Capitulare xii. LABBÉ, xi. 1380: 'Nulla foemina cum pres-'bytero in una domo habitet.' Concil. Coyacense, an. 1050, Can. 3: 'Presbyteri vero et diacones, et qui ministerio funguntur 'ecclesiae arma belli non deferant, semper coronas apertas ha-'beant, barbas radant, mulieres secum in domo non habeant.'

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was found impossible to carry them out at once,[1] notwithstanding the many synods held at Rome, notwithstanding Leo's frequent journeys to France, to Germany, and even to Hungary. More stringent measures were taken by Nicolas II., who at the Lateran Council of 1059, prohibited, under pain of excommunication, all ecclesiastics who lived in wedlock from celebrating mass or holding divine service.[2] The same laws were renewed by Alexander II.;[3] and when Hildebrand had succeeded to the chair of St. Peter,[4] he repeated the ordinances of his predecessors at the Lenten synod of the year 1074, and determined henceforth to enforce them at every hazard.[5]

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[1] DAMIANI, *Opuscul.* 17, *De Coelibatu sacerdotum*, iii. 188, says circa 1058 : 'Nostris temporibus genuina quodammodo Romanae 'ecclesiae consuetudo servatur, ut de ceteris quidem ecclesiasticae 'disciplinae studiis, prout dignum est, moneat, de clericorum vero 'libidine propter insultationem saecularium dispensatorie contis-'cesat.'

[2] Can. 3, LABBÉ, xii. 44.

[3] See the authorities quoted in note 1 on page 195.

[4] The list of the Popes of this period is as follows :

| Popes | Antipopes |
|---|---|
| Clement II. 1046. | |
| Damasus II. 1048, *died* 1048. | |
| ... | *Benedict IX.* 1048. |
| Leo IX. 1049. | —— |
| Victor II. 1055. | |
| Stephen IX. 1057, *died* 1058. | |
| ... | *Benedict X.* 1058. |
| Nicolas II. 1059, *died* 1060. | —— |
| 3 months' vacancy. | |
| Alexander II. 1061, *died* 1072. | *Honorius II.* 1061. |
| Gregory VII. 1073, *died* 1085. | *Clement.* |

[5] See the somewhat lengthy Canons 13 and 14 of Concil. Roman. I. an. 1074, in LABBÉ, xii. 561.

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(β) *By appeal to laity.*

The means which Nicolas II. had as yet employed, declaring ecclesiastics who lived in marriage incapable of administering the duties of their office, were found by experience to be insufficient. It was necessary to employ new means. Already Nicolas had called upon the laity not to be present at any service performed by married ecclesiastics. Gregory VII. addressed himself anew to the laity with a view to stir them up against the clergy. He wrote to princes, on whose submission and interest he thought he could rely, exhorting them to refuse all priestly offices from priests who lived in unchastity.[1] He bade them publish these laws everywhere, and by force to hinder married ecclesiastics from administering the sacraments. He told them not to be abashed if the bishops neglected their duty, but to labour for their own, and their people's salvation. The experiment was a dangerous one. Though successful for the time, it defeated its own end. The laity who had learnt from Gregory VII. to oppose their clergy, in the next century learnt from Arnold how to oppose their Pope,[2] and the full harvest of the rebellion of which Gregory sowed the seed in the year 1074 was gathered in in the time of Luther, when the Teutonic laity threw off their allegiance to the Pope for ever.

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[1] Ep. lib. ii. 45 ad Rudolphum ducem Sueviae, ap. LABBÉ, xii. 331: '. . . rogantes te, ut quicquid episcopi dehinc loquan-
'tur aut taceant, vos officium illorum quos aut simoniace promotos
'. . . aut in crimine fornicationis jacentes cognoveritis, nullatenus
'recipiatis.'

[2] Arnold of Brescia, an. 1154. See Chap. VIII.

PART II. (1) *By councils and legates.*

The other chief instrument by which Gregory VII. sought to enforce his decree was by means of councils held in different countries, and by sending papal legates to assist the metropolitans, and to stir up the laity against the clergy. Two synods which the archbishop of Menz, Sigfrid, convened to put the papal decree in execution, ended in tumult. When A.D. Oct. 1074 Sigfrid required his clergy assembled at Erfurt,[1] either to separate from their wives or to resign their places, the most determined resistance was offered. The clergy threatened to depose and even to murder their archbishop if he persisted in carrying the measure. Oct. 1075 At Mainz[2] in the following year, the resistance was still more determined: the papal legate who was present to enforce obedience nearly lost his life, and Sigfrid contented himself with ordering that in future none but unmarried persons should be elected to 1074 spiritual offices. Similar disturbances happened elsewhere, at Rouen[3] and Paris. At the latter synod, the bishops, abbots, and assembled clergy declared Hildebrand's orders to be unendurable, and therefore irrational; the abbot of Pont-Isère, who had ventured to speak in behalf of the papal order, was beaten and spit upon, and loaded with insults.[4]

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[1] Oct. 1074. See GIES. iii. 10. NEAND. vii. 128, confounds the order of the two synods. The Synod of Erfurt is not noticed at all by LABBÉ.

[2] Concil. Mogunt. Oct. 1075, LABBÉ, xii. 582: 'Exurgentes 'qui undique assidebant clerici, ita eum [Sigefridum] verbis con- 'fundebant, ita manibus et totius corporis gestu in eum debaccha- 'bantur, ut se vita comite a synodo discessurum desperaret.' See also Gregory's Letter to Sigfrid, lib. iii. 4.

[3] Concil. Rotomag. LABBÉ, xii. 579.

[4] Concil. Paris. an. 1074, MANSI, Suppl. ii. 6: 'Vehementes

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*(c) Success.*

Nothing daunted, however, by this opposition, Gregory continued to pursue the path which he had once struck out. Legates [1] were despatched everywhere armed with full penal powers to suspend and to excommunicate the married clergy, and to stir up the people against them. Gerhard, bishop of Salzburg, was rebuked [2] because he allowed his clergy to go on in their old manner of life. Otto, bishop of Constance,[3] was reprimanded for the same offence. The monks were supported against the free-minded bishop of Turin, Cunibert, who had allowed his clergy to marry.[4] Partly by the fanaticism of the people, partly by the help of the monks, and partly too by the energy of his own character, Gregory was at last so far successful, that his decrees were everywhere outwardly adopted. In England only, where William the Conqueror maintained his supremacy over the Church with an iron arm, the law of celibacy received important alterations at the synod of Winchester,[5] and the king refused the bishops, com-

'ira succensi qui aderant adversus Dei famulum, mancipia regis 'suo sceleri conjungentes, exclamantesque omnes in una conspi-'ratione consurgunt, ipsum de concilio rapiunt, trahunt, impin-'gunt, colaphizant, conspuunt, multisque contumeliis affectum ad 'domum regis perducunt.'

[1] On Legates, see below, chap. xii.

[2] Ep. lib. i. 30, LABBÉ, xii. 260.

[3] Ep. App. B. LABBÉ, xii. 538; and NEAND. vii. 129.

[4] NEAND. vi. 150; vii. 131.

[5] Concil. Winton. an. 1076, LABBÉ, xii. 593: 'Decretum est, 'ut nullus canonicus uxorem habeat: sacerdotum vero in castellis, 'vel in vicis habitantium, habentes uxores, non cogantur, ut dimit-'tant; non habentes, interdicantur ut habeant. Et deinceps 'caveant episcopi ut sacerdotes vel diaconos non praesumant 'ordinare, nisi prius profiteantur ut uxores non habeant.'

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missioned by the synod, permission to travel to Rome.[1]

(3) *Simony.*

The other point to which the attention of the reforming party was directed, was the suppression of simony. So universal was the practice of purchasing preferment from the lowest to the highest offices, that Berengar could speak of it[2] as a notorious fact that no cities received bishops by canonical appointment. Indeed one of the first acts which marked the dawn of a new day for the Papacy, was the holding of a synod at Rome to devise measures for suppressing simony.[3] Above other churches, Milan was distinguished for her traffic in benefices: the condition of the clergy was correspondingly bad,[4] and violent disputes broke out on two occasions in that city, when attempts were made to suppress the abuse.[5] One of the first measures of reform undertaken by Leo IX. had been the revival of the laws against simony.[6]

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[1] GIES. iii. 27.

[2] BERENGAR. *De sacra Coena*, p. 63: 'Novi nostrorum tempo-'rum episcopos et abbates, quam nullae urbes hoc tempore eccle-'siastica institutione episcopos accipiant.'

[3] Concil. Rom. an. 1047. LABBÉ, xi. 1314.

[4] In LANDULPH DE ST. PAULO'S *Life of Ariald* (published by Puricelli), the following account is given, ch. ii.: 'Istis temporibus 'inter clericos tanta erat dissolutio, ut alii uxores, alii meretrices 'publice tenerent; alii venationibus, alii aucupio vacabant; par-'tim foenerabantur in publico; partim in vicis tabernas exerce-'bant cunctaque ecclesiastica beneficia more pecudum vendebant.' This had been the state of things at Rome and elsewhere. See p. 125. See the complaint of Ratherius apud LABBÉ, xi. 814, ad an. 932.

[5] First in the Papacy of Nicolas II., NEAND. vi. 164, afterwards in that of Alexander II. NEAND. vi. 169.

[6] Capit. 16 Leonis IX. apud LABBÉ, xi. 1380; Concil. Roman.

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Both Nicolas II. and Alexander II.[1] repeated enactments on the same subject, but apparently with little effect, and both of them had attempted to quell the disturbances which had broken out in the church of Milan in the attempt to suppress simony. After ten years of toil, Ariald, who had first appeared as a preacher of repentance against the corruption of the Milanese Church,[2] but had afterwards become the leader of the popular party, fell a victim to the vengeance of the aristocracy,[3] and now Alexander II. A.D. 1067 succeeded in time in healing the schism in that church, and renewed the former ordinances against simony. At Florence, divisions ending in bloodshed had resulted between the party accused of simony[4] and the more zealous clergy, nor could they be allayed until the archbishop who supported the former party had resigned. But although the tide of popular sympathy set against the simoniacal prelates, and simony had been so frequently denounced by the preceding Popes, yet the vice was the most formidable one which Gregory had to overcome. It involved him in a struggle with the emperor; it caused him to threaten Philip king of France with

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I. an. 1049, LABBÉ, xi. 1394; Concil. Roman. III. an. 1050, LABBÉ, xi. 1446.

[1] Enactments on simony in the time of Victor II. at Concil. Lugd. 1055, LABBÉ, xii. 4 and Concil. Tolos. an. 1056, LABBÉ, p. 13; in the time of Nicolas II., Decretum contra simoniacos at Concil. Roman. 1059, LABBÉ, xii. 45; in the time of Alexander II. at Concil. Rom. I. an. 1063, LABBÉ, xii. 137, at Concil. Mogun. II. an. 1071, LABBÉ, xii. 185.

[2] NEAND. vi. 159.

[3] *Ibid.* p. 164, 171.

[4] *Ibid.* p. 171.

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the ban; it was the beginning of the long train of opposition which he encountered, which ended in his own death in exile.

*C. Struggles with princes the result of the reform.*

*(1) Threatens Philip of France.*

In a synod held at Rome in the year 1075,[1] the decree went forth that if any person accepted a bishopric or an abbacy from the hands of a layman, such person should not be regarded as a bishop or abbot, nor be allowed to enter a church, till he had given up the place thus obtained; and it declared that the same should hold good of inferior Church offices. By one blow aimed at the root of the matter, and by forbidding lay investiture at all, Gregory thought to eradicate simony for ever. For this offence he excommunicated five privy councillors of the German king, Henry IV.[2] He had already threatened King Philip of France with a similar penalty.[3] This last step was followed up by a letter addressed to the French bishops,[4] reproach-

[1] In *Anselmus Luccensis contra Guibert*, ii. 383, in CANISII *Lect.* ed. Basnage, iii. 1: 'Si quis deinceps episcopatum vel abbatiam 'de manu alicujus laicae personae susceperit, nullatenus inter 'Episcopos vel Abbates habeatur, nec ulla ei ut Episcopo vel 'Abbati audientia concedatur, insuper ei gratiam beati Petri et 'introitum ecclesiae interdicimus, quousque locum, quem sub 'crimine tam ambitionis quam inobedientiae, quod est salus idola-'triae, cepit, resipiscendo non deserit. Similiter etiam de inferio-'ribus ecclesiasticis dignitatibus constituimus. Item si quis Im-'peratorum, Regum, Ducum, Marchionum, Comitum, vel quilibet 'saecularium potestatum vel personarum, investituram episco-'patuum vel alicujus ecclesiasticae dignitatis dare praesumserit, 'ejusdem sententiae vinculo se adstrictum sciat.'

[2] Concil. Rom. II. an. 1075, LABBÉ, xii. 581.

[3] Lib. i. Ep. 35, an. 1073, LABBÉ, xii. 263.

[4] Lib. ii. Ep. 5, an. 1074, LABBÉ, xii. 302: 'Quod si nec hujus-'modi districtione voluerit respiscere, nulli clam aut dubium

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ing them most severely for not exercising a restraining influence on the king, and assuring them that should the king not listen to their representations and show signs of repentance, he would, with God's help, use every means to wrest the kingdom of France from his hands.

*(2) Struggle with Henry IV.*

Greater matters, however, than mere simoniacal abuses diverted Gregory's attention from France to Germany, when the ungoverned passions of Henry IV. were aroused to their highest pitch by the excommunication of his ministers. Vacillating and licentious, passionate and wayward, Henry IV. had already estranged the affections of a great part of his subjects, upon whose support Gregory could count with certainty if the quarrel were pushed to extremities. When, therefore, it appeared that the king defied the sentence of excommunication pronounced upon his ministers, and that he continued to fill vacant bishoprics in Germany and Italy in an arbitrary manner, Gregory, taking advantage of the disaffection of Henry's subjects, ventured to do what he dared not attempt towards the haughty William the Conqueror, guilty of the same offence: he summoned Henry to appear before his judgment-seat at Rome. The heading of his letter 'Gregory to King Henry, health and Apostolic greeting, i. e. in case he obeys the Apostolic See, as becomes a Christian prince,[1] was of itself enough to arouse the

*(a) Insolence of the Pope.*

'esse volumus, quin modis omnibus regnum Franciae de ejus 'occupatione, adjuvante Deo, tentemus eripere.'

[1] Lib. iii. Ep. 10, an. 1075, LABBÉ, xii. 367: 'Gregorius epi-'scopus servus servorum Dei Henrico rege, salutem et apostolicam

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anger of the emperor, and was an indignity offered to the greatest monarch in Christendom. Nor was the indignity rendered less by his sending three legates, natives of countries subject to the emperor, to reprove him for his transgressions, and to inform him that unless he appeared at Rome, he would be cut off from the communion of the Church. Well might Henry feel the indignity, and declare that the Pope was overstepping the limits of his spiritual duties. But it was a rash act on his part to meet

A.D. 1076

that threat by convening a Council at Worms ;[1] still more rash was it for him to receive against Gregory the charges of the cardinal, Hugo Blancus, once the Pope's friend, now his bitterest enemy, and to elevate a German council to be a court of inquiry on an absent bishop. But perhaps the rashest act of all was the way in which that Synod of Worms, on January 24, 1076, pronounced sentence of deposition on Gregory ; bishops and abbots, without hearing one word in his defence, allowing themselves to be used as blind tools of the emperor, and all, with two exceptions, acquiescing in the sentence of deposition. If Gregory had before overstepped his powers, Henry in turn overstepped his, and thus the false step of the Pope was recovered by the precipitation of the emperor.

*(b) Insolence of Henry.*

Still more did Henry put himself in a position of disadvantage by the way in which he announced this

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' benedictionem, si tamen apostolicae sedi ut Christianum decet ' regem obedierit.'

[1] An. 1076. LABBÉ, xii. 595.

decision to the Pope. If Gregory's letter to Henry had been insulting, Henry's reply to the Pope was not less insulting.[1] 'Henry, king by the grace of God, and not by the will of man, to Hildebrand, no longer Apostolical, but a false monk.' It ended—'This sentence of condemnation having been pronounced upon you by us and all our bishops, descend from the Apostolical chair you have usurped: Let another mount the chair of St. Peter, who will not cloak deeds of violence under religion, but set forth the sound doctrines of St. Peter. I, Henry, and all our bishops bid you come down, come down.' If Gregory had treated Henry with indignity by sending three of his subjects as legates, Henry now sent this letter to Gregory by an Italian ecclesiastic, Roland of Parma. If Henry's indignation had been great when he received the Pope's message, not less was the indignation great at the synod of Rome, when Roland delivered the emperor's message.

*(c) Henry excommunicated.*

Gregory sat among the assembled bishops in the Lateran. The hymn imploring the descent of the Holy Ghost had scarcely ceased, when Roland appeared in the midst of the assembly, and delivering his letter, announced its contents by bidding Gregory come down. The bishop of Porto shouted 'Seize him;' and already Cencius, the governor of the city, had sprung forth with his soldiers, when Gregory interposed his own person, protected the ambassador, and restored order. Then standing up, he spoke of

[1] An. 1076, MANSI, *Suppl.* ii. 16: 'Henricus non usurpative, 'sed pia Dei ordinatione rex, Hildebrando, jam non apostolico 'sed falso monacho.'

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the coming latter days; of the dry harvest about to be wet with the blood of the saints; of the time for vengeance being come; of the little flock for whom the kingdom was prepared; and waiting till the next day to give greater solemnity to his sentence, he pronounced the interdict on Henry in the name of the Father, the Son and the Holy Ghost, and, by the authority of St. Peter, declared him deposed from the government of Germany and Italy, and absolved all subjects from their oath of allegiance to him.[1]

A.D. Oct. 1076

This sentence was hailed with delight by Henry's discontented subjects. The Saxon and Suabian princes assembled at Tribur in the autumn of the same year, and, after hearing the Papal legates, decided to elect a new king.[2] A variety of fruitless negotiations with Henry ensued; and at length it was agreed that the disputes between Henry and his subjects should be laid before the Pope at Augsburg on the festival of the Purification next, and that if, by any fault of his own, the emperor remained excommunicate for a year, he should be for ever afterwards incapable of holding the government.[3]

*(d) Henry does penance at Canossa.*

This was by far the most galling of the conditions to which Henry submitted. Yet it would have been well if he had calmly adhered to these conditions. Now everything seemed to him to depend on his being absolved from the Papal sentence. Without such absolution he thought he had no hope of being able to treat with the princes on an equal footing.

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[1] Concil. Roman. iii. 1076, LABBÉ, xii. 598; MANSI, *Suppl.* ii. 18; MILMAN, book vii. chap. ii. vol. iv. p. 75 (small edition).

[2] GIES. iii. 17.

[3] NEAND. vii. 150.

Hence he determined to risk everything to obtain absolution. From Speier he set out, and in the unusually cold winter of the year 1076, he crossed the Alps with his wife and little son, and one attendant of no rank. And there encouraged by the mild treatment, which the excommunicate bishops and laity who had preceded him met with at the hands of Gregory, Henry determined to throw himself at the feet of the Pope, and to implore forgiveness.

On a dreary winter morning, with the ground deep in snow, the king, the heir of a long line of emperors, was permitted to enter within the two outer of the three walls which girded the castle of Canossa, within which were Gregory, the aged Abbot of Clugny, and the Countess Matilda. With no mark of royalty about him, clad only in the thin white dress of a penitent, and fasting, he awaited the pleasure of the Pope. But the gates did not unclose. A second day he stood cold, hungry, and mocked by vain hope; and yet a third day dragged on, from morning to evening; and every heart was moved save that of the representative of Jesus Christ.[1] Yielding, however, at length to the pressing entreaties of the countess, Gregory so far relented, that he allowed the king to approach his presence. But there his reception was most humiliating. He was required to take an oath that he would fulfil the severe conditions which Gregory announced. Only on these terms could absolution be granted him. The emperor, who had humbled himself so far to

[1] Milman, iv. 97.

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obtain the one object which he had in view, did not shrink from the new conditions. He consented reluctantly, perhaps even with a mental reservation, and absolution was bestowed on him.

But, at the very moment that Gregory gave him absolution, as though to humble him still more, he called on him to vindicate his innocence by the ordeal of the sacrament. Taking in his hands the consecrated host, the Pope referred to the accusations which Henry had raised against him; and praying that if he had usurped the Apostolic See by simoniacal practices, he might be struck dead at once, or if innocent, that God would acquit him that day, he partook of the consecrated host.[1] A sudden burst of admiration thrilled the whole congregation, when he was seen to stand unscathed in calm assurance. But when he appealed to Henry to follow his example, and by one short course to free the Church from scandal, and himself from a long and doubtful trial, the emperor paused, and trembled. Was it that he was really guilty, or was it that he was broken down by the sufferings of the last few days? He declared that though this trial might be satisfactory to the few present, it would have no effect on his most violent enemies who were absent, and prayed that the whole question might be reserved for a general council.

*(e) Gregory's death in exile.*

Gregory had now pushed matters too far. Earnest and sincere as he was in his desire to reform the Church, and in his view of his own exalted position,

[1] NEAND. vii. 154.

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he had too deeply entrenched on the prerogative of the secular power to escape the penalty of his rashness. The German princes might meet and elect a rival emperor; Gregory might anew pronounce sentence of excommunication on Henry, when Henry seemed completely conquered at the battle of Flarcheim;[1] but retribution at length overtook the Pope. A.D. 1080
He had invoked the sword to defend his prerogative. To the sword he owed his own exile from Rome. The scene at Canossa had been one of insolent triumph for the priest; the scene at Salerno was its counterpart for the emperor.

The Emperor Rudolph of Swabia was dead, slain by the hand of a future crusader, Godfrey of Boulogne. The lands of the Countess Matilda were in Henry's hands, laid waste by the vengeance of his soldiers. Rome itself was a mass of smoking ruins; the Normans, who appeared as the champions of the Pope, and had[2] wrested it from Henry, having plundered, murdered, defiled, destroyed everything. There only a year previously the solemn ceremonial had taken place of the coronation of the victorious Henry, by the antipope, Clement III. Now, although the Normans had recovered Rome, Henry and the antipope were still all powerful. Gregory could not trust himself in his own episcopal city. In exile he lived at Salerno, and there death came upon him slowly. Unrelenting even in his last moments, he excepted from the general absolution which he pronounced

[1] GIES. iii. 19.

[2] The Norman prince, Richard, had taken an oath of fidelity to Gregory in 1073. Lib. i. Ep. 21, LABBÉ, xii. 252.

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on mankind, his implacable enemies, the Emperor Henry, and the usurping Pontiff, together with their counsellors and abettors, and then giving vent to the bitterness of his soul, he uttered his last memorable words, 'I have loved justice, and hated iniquity, therefore I die in exile.' An ecclesiastic who attended on him, replied: 'Thou canst not die in exile, Vicar of Christ and his apostle: for thou hast the heathen for thine inheritance, and the uttermost parts of the earth for thy possession.'[1]

A.D. May 4, 1085

But in exile Gregory did die, forlorn, deserted, friendless; in exile he atoned for his undue severity to Henry at Canossa. Beginning his Pontificate with a sincere wish to reform the Church, he had soon confounded the end with the means, his own theory of government with reform. Afterwards, as this theory obtained a firmer hold upon his mind, the enthusiasm of a fanatic grew upon him, and he ended his life the champion of the Papal theocracy. He had pushed his theory to its logical consequences, and asserted it against kings and bishops; but his conduct was premature. Gregory's treatment of the emperor unmasked his projects, and turned back for a time the course of papal victories. In the storm, which his own conduct had raised about the Papacy, his life was ended. It was reserved for his successors to realise the schemes which their daring predecessor had mapped out. Meantime the Hildebrandian era did not pass away without seeing the fall of both its great actors—Henry humbled at Canossa, Gregory dying in exile.

[1] NEAND. vii. 161; GIES. ii. 23.

# CHAPTER VIII.

## *THE POPES AND ANTIPOPES: ALEXANDER II. TO ALEXANDER III.*

(1059—1179.)

*Super aspidem et basiliscum ambulabis; et conculcabis leonem et draconem.*—Ps. xc. [xc.] 13.

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THE struggle between the Popes and antipopes, which occupies the central place in the history of the See of Rome for rather more than a century, beginning with the Papacy of Alexander II. and ending with that of Alexander III., was but one expression of a general rivalry, which dates from the coronation of Charles the Great, and does not conclude until the collapse of the Holy Empire. It was a struggle, in fact, between two rival powers for the appointment to the most important place in Christendom. If the Bishop of Rome was the supreme sovereign of Christendom, it could not be indifferent to the powers of Europe, whether he were appointed in their own interests and by their influence, or whether he were created by a body opposed to themselves. Hence they who aspired to lead the Christian world, naturally aspired to have a voice in the election of the Pontiff. No wonder, therefore, that the age of antipopes should begin with the coronation of Charles. For were there not after that coronation

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two rival aspirants to supremacy, the newly-crowned Transalpine emperors, and the people of Rome, jealous of their old privilege of election? No wonder, too, that antipopes should continue to be raised up from time to time, even after the submission of the emperors, until the age of the reformation. For were not the interests of the Transalpine and Cisalpine Churches divided, and was not therefore each Church anxious, whenever it had an opportunity, to secure a Pope favourable to itself?

A. *Causes of the appearance of rival Popes.*

It is not, however, with the earlier or the later forms of this rival struggle that we are at present concerned. In a preceding chapter, several instances of antipopes raised up to resist the imperial authority in Italy have been mentioned.[1] In a subsequent chapter, the great schism of the West, and its conclusion after the Council of Basle, will engage discussion.[2] One period therefore only occupies our attention here, the period of antipopes in the narrower sense of the term, the period which was ushered in by the bull of Nicolas II., constituting the Electoral College, and which was concluded by that of Alexander III., requiring a majority of two-thirds in that college to make an election valid. The bull of Nicolas II. indeed limited the right, which had hitherto either belonged to the people or been exercised by the emperors, to the College of Cardinals at Rome; but as within that elective body there was the same play and antagonism of interests as in Christendom generally, it likewise compressed this rivalry and antagonism within narrower limits. Antipopes became

[1] See Chap. V. pp. 128, 137. [2] Chap. XIV.

more common than they had been heretofore. Within the newly-erected College of Cardinals the same struggles went on which were going on in the world at large—struggles between the Italian and the German, between the Roman and the imperial parties. The Roman party, with which the clerical was now combined, was anxious to emancipate itself from all other control; the imperial to vindicate the prerogatives of the Empire. The rival elections of the college represent these parties respectively, and were made in the interests of either the one or the other party. They were but another instance of the rivalry of interests which lay at the root of the strife about investitures, which was involved in Becket's dispute with Henry II. about jurisdiction, and which prompted the papal interference with clerical property. The rivalry was, in fact, as old as the introduction of Latin Christianity among the Teutonic races. It was the same rivalry which, under other forms, agitates the world now.

(1) *Decree of Nicolas II., the first cause.*

The first period in the history of the struggle dates from the Papacy of Alexander II., and extends to the time of the compromise on the subject of investitures concluded at Worms, between Henry I. and Calixtus II. After that compromise follows a period during which the struggle was temporarily in abeyance, both the Pope and the emperor being engaged with other matters. And again, thirty years later, the struggle was revived between Frederic I. and Hadrian IV., and continued until the year 1179, when Alexander III., by a new bull, rendered a double election within the college of cardinals impossible.

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In founding the College of Cardinals, and committing to it the election of all future Popes, Nicolas was unmistakably raising up a new rival authority to that of the emperor. The emperor was no longer to have the privilege—granted by Hadrian II. to Charles the Bald, by Leo VIII. to Otto I., and exercised by Otto I. in the appointment of Leo VIII., by Otto III. in that of Gregory V. and Sylvester II., by Henry III. in that of Clement II.—the privilege of nominating the Pope. Only a limited right of approval was allowed to him; the election was to rest with the cardinals of the people and city of Rome.[1] It was the emperor's wish to assert the imperial authority in Italy: that of the Pope was to have Italy independent and himself supreme in Rome. With interests so opposed, it was natural to expect that the views of the Pope and the emperor would clash; that the papal and imperial parties would come into collision. Nor were those expectations mistaken. When at the next vacancy of the papal chair after the decree of Nicolas II., Alexander II. was elected according to its provisions,[2] the imperial party, headed by the Count of Galeria, refused to accept his election as valid, and at Basle elected an antipope in the person of Honorius II.[3]

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[1] See the decree quoted, Chap. VII. p. 192 (note).

[2] NEAND. vi. 167; LABBÉ, *Vit. Alex. II.* xii. 70.

[3] The list of Popes during this period is as follows:

| Popes | Antipopes |
|---|---|
| Alexander II. 1061, *died* 1072. | *Honorius II.* 1061, *died* 1066. |
| Gregory VII. 1073, *died* 1085. | ... |
| | *Clement III.* 1080, *died* 1100. |

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(2) *Norman assistance.*

Taken by itself, the decree of Nicolas would have been powerless to secure success to the Roman party. Nay, more, it would have been readily superseded by the imperial authority. But there were other circumstances, which helped to give it weight. Chief among these were the military support which the Popes had latterly experienced from a new power settled in Italy—the Normans—and the moral support which they gained from the anti-German sympathies of the people. Once Leo IX., when a captive, had sanctioned the conquests of his captors.[1] Since then Nicolas had confirmed Robert Guiscard, the Norman Duke, in the possession of Southern Italy and Sicily;[2] and, what was more, had received from him in return an oath of fealty and a promise of support. To cement the friendship between the Normans and the Popes, Alexander II. sent a consecrated banner to William, when about to undertake the conquest of England;[3] and the Normans had in

A.D. 1054

1073

| Popes | Antipopes |
|---|---|
| Victor III. 1086, *died* 1087. | ... |
| Urban II. 1087, *died* 1099. | |
| Paschal II. 1099, *died* 1118. | |
| Gelasius II. 1118, *died* 1119. | *Gregory VIII.* 1118, taken prisoner 1121. |
| Calixtus II. 1119, *died.* 1124. | ... |

The life of Alexander II. will be found in LABBÉ, xii. 70; that of Gregory VII., *ibid.* p. 230; that of Victor III., *ibid.* p. 703; that of Urban II., *ibid.* p. 711; that of Paschal II., *ibid.* p. 963; that of Gelasius II., *ibid.* p. 1235; that of Calixtus II., *ibid.* p. 1251.

[1] GIBBON, vol. v. ch. lvi. p. 333.

[2] GIBBON, *ibid.* p. 334; Gregorii VII. Ep. i. 21; LABBÉ, xii. 252.

[3] LINGARD, vol. i. ch. vi. p. 186.

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return shown their fidelity to the Pope. When Gregory VII. was enclosed by the victorious emperor in the castle of St. Angelo, Robert Guiscard came to his relief, and rescuing him from confinement, recovered Rome from the emperor's hands. The friendship between the Popes and the Normans increased whilst Urban II. was an exile. He found a refuge in a Norman city under Norman protection. At a later time, Eugenius III. was brought back from exile by Roger, King of Sicily, and the gratitude of Hadrian IV. confirmed Roger's successor, William, in his newly-won conquests.

(3) *Popular sympathy.*

The other cause which favoured the growth of papal independence was popular sympathy. Nowhere was this so clearly manifested as in the life of Gregory VII. Once the lawless Roman, Cencius, had ventured to carry him off by force from the church, when he was keeping the vigil on the eve of Christmas Day, but it was no sooner discovered that Gregory was a prisoner, than the populace surged round the castle of Cencius, anxious to effect a rescue by force. Engines were brought from all quarters: the walls began to yield: they were broken down or climbed over. When at length Gregory stood in the midst of his deliverers, a rescued man, so great was the enthusiasm in his favour, that he was borne in triumph to the church of St. Maria Maggiore, and thence to the Lateran.[1] When the first crusade had been preached, the popular

[1] MILMAN, book vii. vol. iv. ch. ii. p. 66 (small edition).

sympathy again showed itself on the side of the Popes. A crusading army marched upon Rome to dethrone the antipope, to re-establish Urban II. And who will say, to what extent popular sympathy was influential in facilitating the return of Eugenius III. to Rome, at the very time that the second crusade was being undertaken? The Popes would have had a slender chance of success in a lengthened struggle with so mighty a potentate as the emperor, had not the sympathies of the people been enlisted in their behalf. In advancing to power they only expressed the popular wish. All men of any moral earnestness were to be found in the ranks of their supporters—Anselm, Peter Damiani, Bernard, Thomas à Becket. Those who opposed the Pope were mostly the licentious and lawless prelates. It may be granted that the channel in which the popular sympathy flowed, was one likely to lead to mischief, but it ought never to be forgotten that it was the one in which all the earnest and devout men of the day were to be found.

B. *First period.*

A.D. 1061–1122

(1) *Alexander II. and Honorius II.* 1061

Until the time of Gregory VII., the contest between the rival parties did not assume any great importance. Honorius II. had been set up in opposition to Alexander II., but the emperor was a child at the time, and the schism was soon healed by the intervention of his guardian, Anno of Cologne. No doubt the desire felt by the German princes to weaken the royal power may have helped to settle the dispute, since to them it was a matter of moment to strengthen the Pope's hand against the

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emperor.[1] Honorius was soon forsaken, and Alexander was universally acknowledged at Mantua.

(2) *Gregory VII. and Clement III.* A.D. 1080

Far different was the case of the rival Pope, Clement III., who was elected at Brescia in the year 1080 by the imperial party—a party then consolidated by Henry's unfortunate struggle with Gregory VII., and daily gaining in strength. Gregory's designs had been unmasked, and the rival emperor was dead.[2] For ten years, the antipope, Clement III., ruled at Rome. Meantime, Gregory VII. ended his days at Salerno, Victor III. lived and died at Monte Casino, and Urban II. was an exile at Amalfi, Monte Casino, or some other of the Norman cities under Norman protection. It seemed as though the emperor had recovered all his ancient authority, as though the decree of Nicolas would henceforth be no more than a dead letter. Suddenly a new power was thrown into the scale of the Pope, and all was changed.

This new power was no other than popular sympathy, which found an opportunity for expressing itself in the first crusade. In the spring of the year 1095, there assembled at Piacenza, at the summons of

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[1] NEAND. vi. 168. Alexander was first acknowledged at the Synod of Osborn, 1062, afterwards, generally, at the Synod of Mantua, 1064.

[2] After Henry IV.'s penance at Canossa, January 1077, the majority of German princes assembled at Forchheim, March 1077, and elected Rudolph, Duke of Swabia, to be their king. Gregory VII. declared for Rudolph, March 1080, whereupon Henry's partisans, meeting at Mainz and Brescia, elected Guibert, Archbishop of Ravenna, to be Pope, June 1080. He took the name of Clement III. The rival emperor died in October 1080. See GIES. iii. 20, LABBÉ, xii. 646.

Urban, a vast concourse of people, of bishops and abbots, of clergy and of laity: no church or public building could contain the host: they met in the great plain outside the city. One spirit seemed to have possessed them all; one petition seemed to be in the mouth of all—to go forth against the unbelievers who had captured Jerusalem. Not less was the enthusiasm shown at Clermont, where another council was held, and where Urban himself, in glowing terms, described how the infidels were the lords of the Holy City, hallowed by the life and death of the Saviour; how now the churches and the Holy Sepulchre had become stalls for cattle, and Christian men were massacred, and Christian women ravished within its holy precincts. The desire to respond to the summons spread like an epidemic madness;[1] and those whose enthusiasm had been enkindled against the enemies of Christendom, were not less bitter against the enemies of the Pope who had fanned the enthusiasm. A crusading army marched upon Rome, to restore the Pope before it marched to Jerusalem. The antipope, Clement III., was driven from Rome; his influence was gone; and he died in obscurity. A.D. 1100 Urban II. was restored to his See.

*The struggle in abeyance under Paschal II.* 1099–1118

No rival Pope ventured to contest the chair of St. Peter during the Papacy of Paschal II. His nineteen years of office were occupied with other troubles. In England the struggle respecting investitures was going on between Anselm and King Henry I., and not concluded till the year 1106: in Germany, those 1111

[1] NEAND. vii. 168; GIES. iii. 31.

PART II.

between the Pope and Henry IV. and the Pope and Henry V. on the same subject—Henry, stern and exacting; the Pope, weak and vacillating, agreeing to a compact one year and annulling his grant the next. But no sooner was Paschal II. dead, than the emperor set up Gregory VIII. in opposition to the regularly-elected Pope, Gelasius II.[1] For the third time since the decree of Nicolas, within the space of sixty years, an antipope had been set up. This time the emperor seemed determined to carry matters with a high hand, and the rightful Pope lingered and died in exile. And yet it was only so in appearance, the imperial victory was short-lived. Three years after the rival pope, Gregory VIII., had been appointed, Calixtus II. was master of Rome, the antipope his prisoner. Over the Concordat of Worms, the first scene in the history of antipopes closes.[2] The last Franconian emperor, Henry V., is seen releasing to God and St. Peter all investiture by ring and staff,

(3) *Gelasius II. and Gregory VIII.*

A.D. 1118

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[1] GIES. iii. 44.

[2] Conventus Wormati. an. 1122, LABBÉ, xii. 1325: 'Ego Callistus Episcopus, servus servorum Dei, tibi dilecto filio Henrico, 'Dei gratia Romanorum imperatori augusto, concedo electiones episcoporum et abbatum Teutonici regni, qui ad regnum pertinent, in praesentia tua fieri, absque simonia et aliqua violentia. '. . . Electus autem a te regalia accipiat per sceptrum; exceptis 'omnibus quae ad Romanam ecclesiam pertinere noscuntur. . . .

'Ego Henricus Romanorum imperator augustus, pro amore 'Dei et sanctae Romanae ecclesiae, et domini papae Callisti, et 'pro remedio animae meae, remitto Dĕo et sanctis apostolis Dei 'Petro et Paulo, sanctaeque catholicae ecclesiae, omnem investi-'turam per annulum et baculum; et concedo in omnibus ecclesiis 'quae in regno et imperio meo sunt, canonicam fieri electionem 'et liberam fieri consecrationem.'

restoring to the Roman Church the possessions and regalia of St. Peter, and declaring true peace with his lord, Pope Calixtus and the Roman Church. Calixtus is seen allowing ecclesiastical elections to be made in the presence of the emperor, and permitting the person elect to receive the regalia by the sceptre. Then the curtain falls. When it next rises, it is on a new scene. The imperial house of Franconia has become extinct; Lothar II., an emperor devoted to the Papacy, has succeeded to the throne.[1]

C. *Depression of the Papacy and Empire.*

(1) *Depression of the Papacy.*

(*a*) *Schism.*

A.D. 1130

And yet the troubles of the Papacy were by no means over, although its first struggle for recognised equality with the empire had ended in a successful compromise.[2] For a time it withdrew from the struggle. Its power was depressed. Foremost among the causes of this depression was an internal struggle, a rivalry of Pope against Pope, not of an

[1] Henry V. died 1125. Lothar II., who followed him, was a Saxon.

[2] The Popes during the next epoch are as follows:

| Popes | Antipopes |
|---|---|
| Honorius II. 1124, *died* 1130. | |
| Innocent II. 1130, *died* 1143. | *Anacletus II.* 1130, *died* 1138. |
| Coelestine II. 1143, *died* 1144. | ... |
| Lucius II. 1144, *died* 1145. | |
| Eugenius III. 1145, *died* 1153. | |
| Anastasius IV. 1153, *died* 1154. | |
| Hadrian IV. 1154, *died* 1159. | |

The lives of these Popes will be found in LABBÉ; that of Honorius II., LABBÉ, xii. 1349; that of Innocent II., *ibid.* p. 1407; that of Coelestine II., *ibid.* p. 1549; that of Lucius II., *ibid.* p. 1561; that of Eugenius III., *ibid.* p. 1571; that of Anastasius IV., *ibid.* xiii. p. 1; that of Hadrian IV., *ibid.* p. 11.

PART II.

antipope set up in the imperial interest against a Pope elected in the interests of Italy, but of two rival Popes, each of whom had the support of a party among the cardinals. Such a division would have been impossible but for the decree of Nicolas. It would also have been impossible, if that decree had been explicit as to the number of votes necessary to secure an election. The rival Popes were

A.D. 1130

Innocent II. and Anacletus II.[1]—Innocent, who had the advantage of an earlier election, but of doubtful validity; Anacletus, who had the majority of the cardinals in his favour, and who early gained the support of Roger, Duke of Sicily. But there was one circumstance which from the first told against Anacletus. He was a Jew by descent, the grandson of a rich Jewish banker, who had embraced Christianity. It is difficult to say to what extent the prejudice against his birth told against his cause. In most countries Jews were hated, plundered, proscribed, executed; ecclesiastics had no mercy for them; and even the spiritual St. Bernard, who from the first warmly espoused the cause of Innocent, called on the emperor to vindicate his throne from the Sicilian usurper, and to defend the Church from the Jewish schismatic. It is probable that this prejudice weighed greatly in the mind of St. Bernard, and to St. Bernard Innocent was indebted for the possession of his See in the long run. Driven from Rome, where Anacletus reigned supreme, Innocent had taken refuge in France. There by St. Bernard's

[1] NEAND. vii. 130.

influence he was acknowledged as lawful Pope by the kings of France, England, Spain, and at last by the Emperor Lothar. Yielding to the instances of St. Bernard, the latter even crossed the Alps, and A.D. 1133 advanced on Rome in company with Innocent.[1] To reward his fidelity, the Pope solemnly crowned him in the Lateran Church, when Lothar swore to protect the Pope and the royalties of St. Peter to the utmost of his power, and to enforce the restoration of all the rights and possessions withheld by violence from the See. Three years later, he again appeared 1136 with the intention of restoring Innocent to Rome, and Rome to Italy; but the death of Anacletus, whilst he was being besieged in the impregnable fortress of Jan. 1138 St. Angelo, relieved him of his formidable antagonist. At Rome, on April 4, 1139, a thousand bishops, 1139 countless abbots, and other ecclesiastical dignitaries, assembled for the second Lateran Council, to commemorate the termination of the schism, which had so long depressed the Papal power; and there the Pope distinctly enunciated the new doctrine that he was a spiritual liege-lord on a level with temporal liege-lords, of whom all ecclesiastical dignities were held, as temporal dignities were held of kings. There, too, he denounced the sacrilegious ambition of the antipope, degraded all whom he had promoted, expelled and deposed all whom he had consecrated.[2]

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[1] Lothar's first appearance in Italy was in the year 1133. His second visit 1136. He died before the siege of Rome, December 1137. See MILMAN, vol. iv. book viii. ch. iv. p. 320; NEAND. vii. 195.

[2] Chronicon Mauriniacense, apud LABBÉ, xii. 1507, an. 1139,

PART II. (b) *Roman Republic.*

But the voice of triumph had hardly died away, when the council had to treat of another subject, which threatened the papal power with new danger. Arnold, a young clergyman of Brescia, trained in the school of Abélard, who had learnt from Gregory VII. the lesson of stirring up the laity against the corrupt clergy, had come forward as a preacher of righteousness. His aim was to make a distinction between the Church and the State; to bring back the Church to the pattern of Apostolic times; to leave the State to take care of itself.[1] At the second Lateran Council he was condemned and driven from Italy. But from his exile in France his teaching came back to Italy and Rome. The old dream of a Roman republic revived in men's minds, as they heard that the Pope's claim to temporal sovereignty was a new

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the Pope in his allocution says: 'Nostis, quia Roma caput est 'mundi, et quia a Romani pontificis licentia ecclesiastici honoris 'celsitudo quasi feodalis juris consuetudine suscipitur et sine ejus 'permissione legaliter non tenetur. Scitis etiam, quia ejus pro- 'prium est, ut dissentientes pacificet, et confusa sapienter disponat 'et ordinet. Porro impossibile est, ut unguentum in barbam de- 'scendat, si in capite non redundat.' See Can. 30.

[1] According to the authorities in LABBÉ, xii. 1510: '[Arnold] 'dicebat nec clericos proprietatem, nec episcopos regalia, nec 'monachos possessiones habentes, aliqua ratione salvari posse; 'cunctaque haec principis esse, ab ejusque beneficentia in usum 'tantum laicorum cedere oportere. Praeter haec de sacramento 'altaris et baptismo parvulorum non sane dicitur sensisse.' Probably Canon 23, *ibid.* 1505, was directed against Arnold: 'Eos autem qui religiositatis speciem simulantes, Domini corporis 'et sanguinis sacramentum, baptisma puerorum, sacerdotium, et 'caeteros ecclesiasticos ordines, et legitimarum damnant foedera 'nuptiarum, tanquam haereticos ab ecclesia Dei pellimus et dam- 'namus et per potestates exteras coërceri praecipimus.'

thing. They required the Pope to confine himself to spiritual affairs. They committed to a senate established on the capital, the supreme direction of affairs.[1] They renounced their allegiance to Innocent. His successor, Lucius II., met his death in attempting to storm the capital. And Eugenius III. was forced to yield to superior force, and to take refuge in France. The Papacy seemed prostrate; this time prostrate before the Romans themselves.

A.D. 1143
1145
1146

*(c) Depression of Empire.*

Meantime the imperial prerogative was also depressed. The nobles had taken advantage of the long state of anarchy under Henry IV. and Henry V. to make their fiefs hereditary; and these, when now vacant, could only be granted afresh by the consent of the states. The jurisdiction of the crown had been confined within narrower limits. The principle of imperial elections was gradually supplanting that of hereditary descent.[2] Lothar II. and Conrad III. both owed their elevation to election. Instead of the reverence which had formerly encircled the emperor, as the august head of Christendom, enjoying the privilege of naming his successors, a greater importance was now attached to the commonwealth of princes and barons. And there was not wanting in Germany a strong party, that of the Welfs, related but opposed to the ruling family of the Hohenstaufen, and supported by the descendants of those

[1] NEAND. vii. 200; GIES. iii. 52.

[2] See the note in Chap. XVII.

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who had been attached to the old house of Saxony,[1] which preferred to side with the Pope rather than give allegiance to the new imperial house. The clergy, too, had become dangerous, partly owing to the Hildebrandian reforms, which knit them more closely together, partly owing to the spiritual feudal-
A.D. 1122 ism which the Concordat of Worms implied and the
1139 second Lateran council expressed. Neither Lothar II. nor Conrad III. were able to contend against these disadvantages. Lothar had not demanded the homage of the clergy for their imperial fiefs; he had received Matilda's allodial lands as a
1133 fee to be held of the Pope.[2] Conrad III. had been

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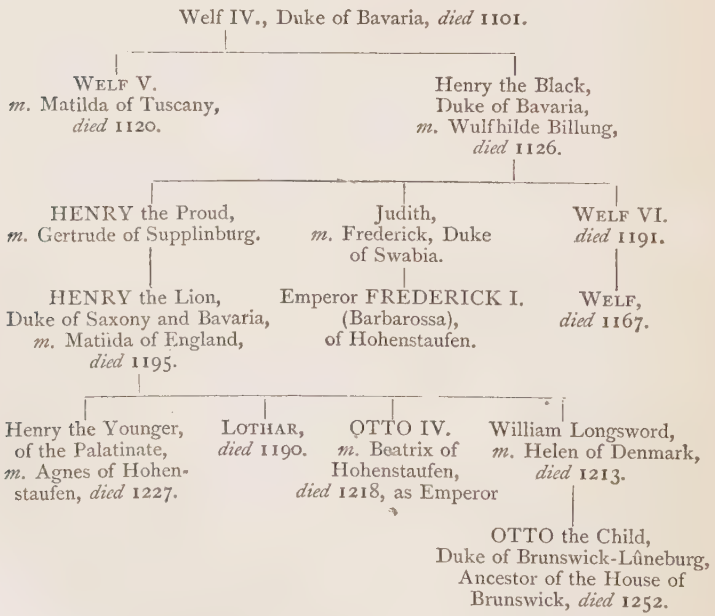
[1] The genealogy of the Welfs is as follows:


Welf IV., Duke of Bavaria, died 1101.
Welf V. m. Matilda of Tuscany, died 1120.
Henry the Black, Duke of Bavaria, m. Wulfhilde Billung, died 1126.
HENRY the Proud, m. Gertrude of Supplinburg.
Judith, m. Frederick, Duke of Swabia.
Welf VI. died 1191.
HENRY the Lion, Duke of Saxony and Bavaria, m. Matilda of England, died 1195.
Emperor FREDERICK I. (Barbarossa), of Hohenstaufen.
Welf, died 1167.
Henry the Younger, of the Palatinate, m. Agnes of Hohenstaufen, died 1227.
Lothar, died 1190.
OTTO IV. m. Beatrix of Hohenstaufen, died 1218, as Emperor
William Longsword, m. Helen of Denmark, died 1213.
OTTO the Child, Duke of Brunswick-Lûneburg, Ancestor of the House of Brunswick, died 1252.

[2] The document, Innocent II., Ep. ii. LABBÉ, xii. 1409.

involved in domestic troubles; he had been absent on a crusade, without having gained any advantage in battle. The emperors were in fact too weak to take advantage of the depressed state of the Papacy for recovering their own power.

(2) *Returning power.*

Just as the first crusade turned the ebbing-tide of Papal advancement, so the second crusade was the signal for the return of the Popes to prosperity and to Rome. The same year that saw the return of Conrad and Louis, and the remains of the vast host, whose enthusiasm at Vezelay under the preaching of St. Bernard knew no bounds, and which had vented itself in a tumultuous cry of 'the Cross! the Cross!' saw Eugenius III. return from his exile to Italy.[1] The following year saw him at Rome. His return A.D. 1149 to Rome was brought about by the help of Roger, King of Sicily, and the Normans, the ancient allies of the Popes. Probably, too, the enthusiasm for the crusades directed popular sympathy at Rome towards their bishop, and disposed the Roman people to receive Eugenius as their Pope, whilst they refused to own him as their sovereign.[2] Once at Rome, his influence rapidly increased. His skilful and well-timed use of means wrought wonders in his favour, far more than arms or excommunications could have done. His gentleness, generosity, magnificence, and charity slowly supplanted the senate in popular

[1] He returned to Rome, an. 1149, by the help of Roger, King of Sicily. GIES. iii. 54.

[2] After his first return to Rome Eugenius III. went away. On his second return, an. 1152, he won the city. See MIL. vol. iv. book viii. ch. vii. p. 404.

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attachment. Arnold's power was wasting away, and the victory which was inaugurated by Eugenius III. was completed by Hadrian IV. This Pope, the only Englishman who ever filled the Papal chair, confronted Arnold with severer weapons than his predecessor had done.[1] He pronounced on him sentence of banishment; he laid Rome under an interdict. His spiritual censures overcame the senate.

A.D. 1155 Arnold was banished; the Republic was at an end; the Pope was master in the metropolis; and Hadrian IV., in return for the support vouchsafed by the Normans to his cause, confirmed William, King of Sicily, in all his conquests.[2] Well might the language addressed by St. Bernard to Eugenius III. appear to his contemporaries not unfitting language to be addressed to Hadrian after such a success:[3]

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[1] Between Eugenius III. and Hadrian IV. a Pope, Anastasius IV., intervenes, who held the dignity for one year only.

[2] Ep. viii. ad Willelmum Regem Siciliae, LABBÉ, xiii. 21: 'Hadrianus episcopus servus servorum Dei, carissimo in Christo 'Filio Willelmo illustri et glorioso Siciliae regi ejusque heredibus, 'quos pro voluntaria ordinatione sua statuerit in regnum, in per- 'petuum. . . . Ut autem quae supra diximus tam nostro quam 'successorum nostrorum tempore perpetuam obtineant firmitatem, 'et nec tuis, nec tuorum heredum temporibus, alicujus valeant 'praesumptione turbari: nos ea de communi consilio et voluntate 'fratrum nostrorum auctoritate apostolica confirmamus, et vali- 'tura in perpetuum praesentis scripti pagina communimus; et 'tam a nobis quam a nostris successoribus perpetuis temporibus 'statuimus observanda.'

[3] S. BERNARD. *De Consid.* ii. 8: 'Tu quis es? Sacerdos mag- 'nus, summus Pontifex. Tu princeps Episcoporum, tu haeres 'Apostolorum, tu primatu Abel, gubernatu Noe, patriarchatu 'Abraham, ordine Melchisedech, dignitate Aaron, auctoritate 'Moyses, judicatu Samuel, potestate Petrus, unctione Christus.

CHAP. VIII.

'Chief of bishops, heir of the apostles, in precedence an Abel, in government a Noah, in sireship an Abraham, in order a Melchisedek, in dignity an Aaron, in authority a Moses, in judgeship a Samuel, in power a Peter, in unction a Christ; to thee are delivered the keys, to thee the sheep are entrusted. Others too are porters of heaven, and shepherds of flocks; but thou art more glorious than they, inasmuch as thou hast inherited a name far above the rest. They have each one a single flock to tend, but to thee all are entrusted, to thee as one fold: Nor art thou the guardian only of the flocks, but also of all the shepherds, thou alone.'

*D. Renewed struggle of Anti-popes.* A.D. 1155–1179

A thrill of enthusiasm runs through every historian at the mention of the name of the great emperor, Frederic Barbarossa, under whom the Empire recovered from its depression, but recovered only to succumb afresh to the growing power of the Popes; his reign being like the last bright ray which lights up the heaven at sunset, before the evening finally closes in. About the person and history of this emperor, 'of stature moderately tall, with red hair and beard, with sparkling eyes, broad shoulders, and manly bearing,'[1] there hangs a tale of interest, not merely connected with the circumstances under which he lost his life, but with his whole relations to the

'Tu es, cui claves traditae, cui oves creditae sunt. Sunt quidem 'et alii caeli janitores, et gregum pastores; sed tu tanto gloriosius, 'quanto et differentius utrumque prae ceteris nomen haereditasti. 'Habent illi sibi assignatos greges, singuli singulos; tibi universi 'crediti, uni unus. Nec modo ovium, sed et pastorum tu unus 'omnium pastor.'

[1] *Itinerar. Regis Anglor. Ric.* ch. xxiv.

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Popes. It was his destiny first to help them to recover their[1] power in Rome, and then to learn to his cost what it was to be the first victim upon whom that recovered power was exercised.

(i) *Struggles of Frederic I. with Hadrian IV.*

During the Papacy of Hadrian IV.,[2] the struggle broke out between the Popes and the emperors on three separate occasions. Twice Frederic crossed the Alps and visited Italy, and on each occasion he returned victorious from the conflict. On the first occasion a rupture seemed imminent. He had

A.D. 1154

crossed the Alps intending to restore the almost forgotten imperial rights in Italy, and had refused to hold the Pope's stirrup as his predecessor, the Em-

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[1] Hadrian IV. in the first year of his Pontificate, an. 1155, had placed Rome under a ban, because one of the Cardinals had been attacked and wounded by Arnold's followers. This was more than the Romans could bear, and Arnold was driven from Rome. He thereupon found protection and an asylum among some Italian nobles; but he was torn from his protectors by order of the Emperor Frederic, and handed over to the papal authority. His punishment was inflicted by the prefect of Rome: he was hung; his body was burned, and his ashes were thrown into the Tiber. See NEAND. vii. 217.

[2] The Popes during this period are as follows:

| Popes | Antipopes |
|---|---|
| Hadrian IV. 1154, *died* 1159. | |
| Alexander III. 1159, *ob.* 1180. | *Victor IV.* 1159, *ob.* 1164. |
| ... | *Paschal III.* 1164, *ob.* 1168. |
| ... | *Calixtus III.* 1168, deposed by Lateran Council, an. 1179. |
| Lucius III. 1181, *ob.* 1185. | |

For the life of Hadrian IV., see LABBÉ, xiii. 11; for that of Alexander III., *ibid.* 65; for that of Lucius III., *ibid.* 639.

CHAP. VIII.

peror Lothar II., had done. But the threatened rupture was this time averted by mutual concessions: Frederic yielding the point, in order to obtain the imperial crown, without which his claims to rule might have been constantly disputed; Hadrian willing to give the crown in return for the emperor's help in overthrowing Arnold and his party.[1] When, however, Hadrian, in a letter addressed to the emperor, prayed for the punishment of some German knights who had plundered a bishop returning from a pilgrimage, and reminded him of the imperial crown and other *beneficia*, which had been bestowed on him by the favour of the Popes, his language[2] was the signal of a renewed outbreak, in which all estates, not excluding the bishops, took part.[3] For the second time, Frederic marched into Italy.[4] The Pope

June 18, 1155

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[1] GIES. iii. 58. Frederic was crowned June 18, 1155.

[2] Ep. ii. LABBÉ, xiii. 16: Ad Fredericum Imperatorem, de non 'vindicata injuria Lundoniensi archiepiscopo illata: 'Debes enim, 'gloriosissime fili, ante oculos mentis reducere, quam gratanter et 'quam jucunde alio anno mater tua sacrosancta Romana ecclesia 'te susceperit, quanta cordis affectione tractaverit, quantam tibi 'dignitatis plenitudinem contulerit et honoris, et qualiter imperialis 'insigne coronae libentissime conferens, benignissimo gremio suo 'sublimitatis apicem studuerit confovere: nihil prorsus efficiens 'quod regiae voluntati vel in minimo cognosceret obviare. Neque 'tamen poenitet nos desideria tuae voluntatis in omnibus imple-'visse; sed si majora beneficia excellentia tua de manu nostra 'suscepisset, si fieri posset, considerantes quanto ecclesiae Dei et 'nobis per te incrementa possint et commoda provenire, non 'immerito gauderemus.'

Nor was this letter all. For the feudal grant of Matilda's lands to Conrad III. was explained to mean a grant of empire.

[3] GIES. iii. 59.

[4] Frederic was five times in Italy; and twice his visits occurred

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sent a milder explanation of the offensive terms, declaring that his language had been misunderstood,[1] and on the fields of Roncaglia a brilliant diet was held, in which the imperial privileges were defined according to the principles of Roman jurisprudence by civilians from Bologna. But from these very definitions, which seemed to infringe on the Papal prerogatives, arose a renewal of the struggle, from which, after lengthy and fruitless negociations,[2] death took away Hadrian IV., but only just in time to save Frederic from the threatened sentence of excommunication.[3]

A.D. 1158

(2) *Alexander III. and Antipopes.* 1159–1177

(*a*) *Victor IV. Antipope.* 1159–1164

The death of Hadrian IV. came opportunely for the two contending parties, and, as might have been expected, it was the signal for raising up a new antipope in the imperial interest. The College of Cardinals was divided between Roland, the chancellor of the Apostolic See—the same individual who had so arrogantly pressed the papal claims in the disputes between Frederic I. and Hadrian IV., and who now assumed the name of Alexander III.—and the cardinal priest, Octavian, who took the title of Victor IV.[4] Following the example of his predecessor

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in the Papacy of Hadrian: (1) In 1154–55, memorable for the destruction of Tortona. On this occasion he was crowned king of Italy at Pavia, and emperor at Rome. (2) In 1158–62 Milan was reduced. The diet of Roncaglia was held, and the rival Popes, Victor IV. and Paschal III., were supported. (3) In 1163. (4) In 1166–68, Alexander III. was driven from Rome, and he was again crowned by Paschal III. His army suffered from fever. (5) In 1174–76, Siege of Alessandria. He was deserted by Henry the Lion and defeated at Legnano.

[1] Ep. iv. LABBÉ, xiii. 18.

[2] See the two letters of the Pope. Ep. v. vi. LABBÉ, xiii. 19.

[3] GIES. iii. 61.

[4] NEAND. vii. 225.

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Henry III., Frederic summoned a council to meet at Pavia in the year 1160, there to decide their claims, and cited the two Pontiffs to appear before it. He was met by Alexander, in the spirit of Gregory VII., with a refusal to answer before a lay judge; and Victor IV. was accordingly recognised by the council.[1] Many countries, however, still upheld Alexander III. Nevertheless, so great for the time being was the success of the imperial party that Alexander was compelled to take refuge in France.

But the times were troublous; Frederic's power was crippled by the hatred and rebellion of the Lombard cities, while the cause of Alexander was in proportion advanced by their disaffection. Besides, Alexander was zealously supported by the monks and recognised by the kings of England and France. Bold and experienced though Frederic might be, he was not a match for the united forces of the hierarchy and the Lombard cities. Supported by the sympathy of the French, it is true, he was able to secure the election of Paschal III. as anti-pope on the death of Victor IV., that of Calixtus III. on the death of Paschal III., each one of whom, however, possessed less authority than his predecessor. But meantime, Alexander III. had returned to Rome. Encouraged by this step, the Veronese league quickly expanded itself, and became a league of the Lombard cities under the leadership of Milan. Frederic's success in again driving Alexander from Rome was only temporary.[2] Harassed by the

(*b*) *Paschal III Calixtus III., Anti-popes.* A.D. 1164 1168

[1] Concil. Papiense, an. 1160, LABBÉ, xiii. 266.

[2] These events happened on the occasion of his fourth visit to

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disaffection at home of Henry the Lion, the leader of the Welfs; weakened abroad by losses through fever and on the battle-field; meeting with continually-increasing resistance in Italy; he was unable to bear up in the unequal conflict. The victory which was
A.D. 1176 eventually gained by the confederate cities at Legnano was hallowed by being fought on the side of the Pope; and in the following year at Venice, on the
1177 Eve of St. James, a six years' truce was concluded between the Pope and the emperor, according to which Frederic finally abandoned the cause of the antipope Calixtus.[1]

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Italy, in 1166–68; the following on his fifth visit, 1174–76. See HALLAM's *Middle Ages*, vol. i. pt. i. ch. iii. p. 376.

[1] The account of this is given in LABBÉ, xiii. 386, under Concil. Venet. an. 1177: 'In vigilia sancti Jacobi summo mane Pontifex 'misit ad Imperatoris praesentiam Humbaldum Ostiensem et 'Willelmum Portuensem episcopos. . . . Qui ad eum venientes, 'postquam Imperator renunciavit schisma Octaviani, Guidonis 'Cremensis, et Joannis de Struma . . . ipsum a sententia excom-'municationis pariter absolverunt. . . . Exinde Imperator tan-'quam catholicus princeps accessit ad praesentiam ipsius pontificis, 'qui ante fores ecclesiae sancte Marie cum fratribus suis cardinali-'bus residebat, in communi unionem pacis expectantibus; et 'deposita chlamyde, prostravit se in terram, et deosculatis ponti-'ficis . . . pedibus, verae pacis osculum ipse devotissime dedit. 'Tunc repleti sunt omnes gaudio magno, et prae nimia laetitia 'vox clamantium *Te Deum laudamus*, insonuit usque ad sidera; 'statimque Augustus apprehensa Pontificis dextera, cum canticis 'et laudibus usque ad chorum ecclesiae ipsum deduxit, et incli-'nato capite benedictionem ipsius reverenter suscepit.

'In sequenti vero die, qua celebratur festum sancti Jacobi 'apostoli, idem Alexander papa rediit. . . . Decantata itaque 'Missa [Imperator] dexteram pontificis apprehendit, et extra 'ecclesiam usque ad album caballum conduxit ipsum, et streguam, 'stapham scilicet, fortiter tenuit. Cum autem frenum acciperet,

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Absolved from his sentence of excommunication, Frederic now advanced to the presence of the Pope, who awaited him surrounded by the cardinals before the great doors of St. Mark's. It was a scene solemn and joyous to the bystanders, to behold the emperor, throwing off his imperial mantle, kneeling and kissing the feet of the Pope, and then bestowing on him the kiss of peace. One loud Te Deum burst forth, and rose up to heaven. Thereupon Frederic, taking hold of the hand of the Pope, led him to the choir of the church, and then knelt to receive his benediction. The next day, when mass had been sung, the emperor again took the Pope's hand, led him from church to his horse, then held his stirrup, and would have attended him to the port, holding his bridle, had not the courtesy of Alexander been pleased to accept the will for the deed. Such a humiliating experience proved that Frederic, whom a cotemporary, himself a foreigner,[1] describes as 'the ruler of the Roman Empire ever august, in whom the glory of ancient Rome again flourished, its honour again revived, and its power was augmented,' had succumbed before a power still more august. It proved that the Pope was master of the occasion, that he had established his claim to be exalted above kings. He had trodden under foot the greatest potentate of the West.

1165

1176

1177

Alexander followed up his victory by a measure

'et stratoris officium vellet adimplere, Pontifex, quia iter ad 'mare nimis videbatur prolixum, pro facto habuit quod affectuose 'voluit adimplere.'

[1] *Itin. Regis Anglor. Ric.*, c. xxiv.

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A.D. 1179

destined to prevent the election of an antipope ever again. A decree of the third Lateran Council enacted that the election of a Pope lay with the cardinals alone, that the concurrence of two thirds of the cardinals was necessary for a valid election, and that if the minority thought of setting up their nominee, both themselves and their candidate should be liable to excommunication.[1] To this decree Frederic offered no resistance. It was probably out of his power to do so. Besides, it would only have imperilled the descent of the crown to his son, which he was most anxious to secure. Four years later,

1083 when the truce had expired, another treaty was concluded at Constance, by which the relations of the emperor and the Lombard republics were fixed on lasting grounds: little was left to the emperor but a titular supremacy in Italy; the Lombard republics

[1] Concil. Lateran. iii. an. 1179, cap. i. LABBÉ, xiii. 417: 'Statuimus igitur, ut si forte inimico homine superseminante 'zizania, inter cardinales de substituendo pontifice non potuerit 'concordia plena esse, et duabus partibus concordantibus tertia 'pars noluerit concordare, aut sibi alium praesumpserit ordinare: 'ille Romanus pontifex habeatur, qui a duabus partibus fuerit 'electus et receptus. Si quis autem de tertiae partis nominatione 'confisus, quia rem non potest, sibi nomen episcopi usurpaverit; 'tam ipse, quam qui eum receperint, excommunicationi subjaceant, 'et totius sacri ordinis privatione mulctentur . . . et nisi resi- 'puerint, cum Dathan et Abiron, quos terra vivos absorbuit, acci- 'piant portionem. Praeterea si a paucioribus aliquis quam a dua- 'bus partibus fuerit electus ad apostolatus officium, nisi major 'concordia intercesserit; nullatenus assumatur, et praedictae poe- 'nae subjaceat, si humiliter noluerit abstinere. Ex hoc tamen 'nullam canonicis constitutionibus et aliis ecclesiasticis prae- 'judicium generetur. . . . In Romana vero ecclesia aliquid speciale 'constituitur, quia non potest recursus ad superiorem haberi.'

were established in real independence. The age of antipopes was now at an end; the right of the emperor to control the election of the Roman bishop was formally denied. The Papacy had secured its independence, it had risen to equality, nay more, it had risen to supremacy. For elsewhere, too, the Pope had set kings at defiance. In face of the claims of Castile and Leon, he had declared in favour of the independence of Portugal, and had granted to the new kingdom all the territory which it could recover from the Saracens.[1]

Well might the Germans of a later day, when they saw the Popes disposing of the imperial crown, and filling their land with bloodshed and violence, look back with reverential fondness to the great Frederic, with his manly form and chivalrous disposition, and invest him with a kind of shadowy superhuman existence, as the national hero who had fought their last battle for freedom. Well might a legend gather about his death—a death so sudden, so far from his country, and endured in the sacred cause of a crusade against the infidels—not unlike that which has gathered about the death of St. John, and the seven sleepers of Ephesus;[2] telling how far up the mountain Kyffhauser, in an enchanted cave, Barbarossa

[1] See the documents in Lucii II. Ep. xi. LABBÉ, xii. 1570; and quoted by GIES. iii. 68, § 52.

[2] The legend about St. John is that he did not die at all, but is only slumbering, moving the grave-mound with his breath till the return of the Lord. The legend of the seven sleepers who went to sleep in the third century, and awoke in the fifth, is well-told in Dr. NEALE'S *Lent Legends*, and J. MARTINEAU'S *Endeavours after the Christian Life*.

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sits dosing on a slab of stone, waiting the hour when the ravens shall cease to hover round the peak, and the pear-tree blossom in the valley; when he will issue forth with his knights to punish the murderer and oppressor, and to bring back to Germany the golden age of peace and strength and unity.[1] Yet,

[1] The legend of Barbarossa is told by HEINRICH HEINE in his *Poem on Germany*, cap. xiv.; and by RÜCKERT in the striking ballad of *Barbarossa*.

'1. Der alte Barbarossa,
Der Kaiser Friederich,
Im unterird'schen Schlosse
Hält er verzaubert sich.

'2. Er ist niemals gestorben,
Er lebt darin noch jetzt;
Er hat im Schloss verborgen
Zum Schlaf sich hingesetzt.

'3. Er hat hinabgenommen
Des Reiches Herrlichkeit
Und wird einst wiederkommen
Mit ihr zu seiner Zeit.

'4. Der Stuhl ist elfenbeinern,
Darauf der Kaiser sitzt;
Der Tisch ist marmelsteinern,
Worauf sein Haupt er stützt.

'5. Sein Bart ist nicht von Flachse,
Er ist von Feuersglut,
Ist durch den Tisch gewachsen,
Worauf sein Kinn ausruht.

'6. Er nickt als wie im Traume,
Sein Aug' halb offen zwinkt;
Und je nach langem Raume
Er einem Knaben winkt.

whilst the Empire lasted, that age was not to come back, and darker times were still in store. In fact, will that expectation be ever realised? Will a second Barbarossa ever appear again to reunite Germany once more, perhaps under another name, and to revive the struggle with the now worn-out Papacy, dealing to it a final death-blow, and inaugurating a regenerated Empire?

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'7. Er spricht im Schlaf zum Knaben:
"Geh hin vor's Schloss, o Zwerg,
Und sieh, ob noch die Raben
Herfliegen um den Berg.

'8. Und wenn die alten Raben
Noch fliegen immerdar,
So muss ich auch noch schlafen,
Verzaubert hundert Jahr." '

# CHAPTER IX.

## CLIMAX OF THE PAPAL POWER.

(1183—1303.)

*Si dormiatis inter medios cleros, pennae columbae deargentatae, et posteriora dorsi ejus in pallore auri.*—Ps. LXVII. 14 [LXVIII. 13].[1]

A. *First period. The era of Innocent III.*
A.D. 1179–1243
(1) *The Popes before Innocent III.*
1179–1198
(*a*) *Depression of the Empire.*

THE treaty of Constance which had been concluded during the Pontificate of Pope Lucius III.[2] seemed to fix the relations of the emperor and the Lombard republics on lasting ground. Depriving the former of many of the rights which he had hitherto claimed over those republics, and regarded as a sequel to his treaty with Alexander III. at Venice six years previously, it seems to mark the climax of the papal power, and to be the beginning of a new age, in which the Pope would reign supreme without a rival.[3] In this light, too, it appeared to many historians of a later day, who delighted to speak of the emperor as a beast of prey, and recounted with satisfaction how at Venice the young

[1] Vide Innocent's Sermon at Lateran Council, an. 1215, LABBÉ, xiii. 921.

[2] Lucius III. succeeded Pope Alexander III. in 1181. He died November 1184, and was succeeded by Urban III. His life in LABBÉ, xiii. 639.

[3] See Chap. VIII. p. 236.

lion and the dragon had been trampled under foot. Yet there was another aspect to this treaty, and until Jerusalem had fallen and Frederic had been drowned in his unfortunate crusade, the course of events went decidedly in favour of the emperor.

*(b) Elevation of the Empire.*

On the death of Alexander III.—in his lifetime almost a stranger in Rome—five Popes followed in rapid succession,[1] two only of whom were even as well known to the Romans as Alexander had been. Their tenure of office, if the last of them, Coelestine III., is excepted, was short; their administration, if the turbulent violence of Urban III. is excluded, was feeble. Meantime, Frederic Barbarossa was not less active than before, and possessed now the full experience of age; his son Henry VI. was ferocious and cruel, and not willing to yield one iota of his father's pretensions. The Treaty of Constance had set Frederic at liberty to reunite his forces and to consolidate his power. The territories of the Countess Matilda were in his hands, and though he had promised to restore them, he prudently delayed to perform his promise. Moreover, his son Henry VI. had obtained the hand of Constantia, the heiress of the kingdom of Sicily,[2] and thus a country, which had

[1] The Popes from Alexander III. to Innocent III. are as follows:

| | | Died |
|---|---|---|
| Lucius III. | 1181 | Nov. 1184, his life in LABBÉ, xiii. 639. |
| Urban III. | 1185 | Sept. 1187, *ibid.* p. 651. |
| Gregory VIII. | 1187 | Dec. 1187, *ibid.* p. 661. |
| Clement III. | 1188 | April 1191, *ibid.* p. 665. |
| Coelestine III. | 1191 | Jan. 1198, *ibid.* p. 687. |

[2] The Norman Kingdom in Italy was founded by Robert Guiscard in 1054. He assumed the title of Duke of Apulia in 1060, and

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been the stronghold of the Popes since the time of Leo IX., and their chief lay-assistant in the struggle with the Empire, was detached from its former allegiance, and its forces thrown into the imperial scale. Accordingly, when Frederic died, Coelestine III. did not dare to refuse the coronation of his son Henry VI.; and although he might behold with secret satisfaction the seizure of the kingdom of Sicily by the Norman Tancred, he could not refuse to crown the rightful heiress, Constantia, together with her husband. Fortune might oscillate from time to time—now the surrender of Tusculum being wrung from the emperor by the Pope, and his queen being captured by the Normans at Salerno; anon Apulia and Sicily being reconquered, and his rival Tancred dead;

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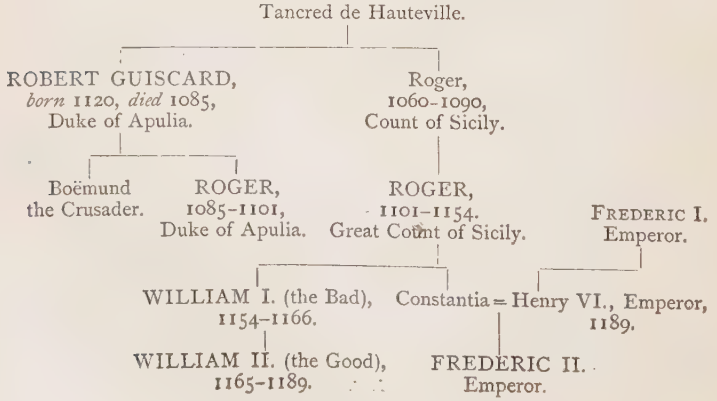
died 1085. His younger brother, Roger, 1060–1090, completed the conquest of Sicily, and is known as Count Roger. His son, Roger, reigned 1101 to 1154 as great Count of Sicily, and was succeeded by William I. (the Bad), and afterwards by William II., who died without issue. Thereupon the inheritance passed to his aunt Constantia, who had married the Emperor Henry VI. in 1186. See GIBBON, ch. lvi.; and *Istoria Civile* of GIANNORE, tom. ii. l. xi.–xiv. pp. 136–340; and MURATORI'S *Italian Annals*, vols. ix., x. The genealogy is as follows:


Tancred de Hauteville.
ROBERT GUISCARD, born 1120, died 1085, Duke of Apulia.
Roger, 1060–1090, Count of Sicily.
Boëmund the Crusader.
ROGER, 1085–1101, Duke of Apulia.
ROGER, 1101–1154. Great Count of Sicily.
FREDERIC I. Emperor.
WILLIAM I. (the Bad), 1154–1166.
Constantia = Henry VI., Emperor, 1189.
WILLIAM II. (the Good), 1165–1189.
FREDERIC II. Emperor.

now the emperor retaining possession of Matilda's lands in spite of the Pope's threats, and anon, being excommunicated for his cruelties at Palermo; but on the whole, Henry was more than a match for his rival. Popular at home, and successful abroad, he could defy another Lombard league which was forming to control him; he could with ease quell every threatened insurrection. He could level the walls of Capua and Naples, and besiege the castle of a rebellious chieftain at St. John. But he could not avert destiny. A copious draught of cold water after a day's hunting, on an autumn evening in a southern clime, brought on an attack of fever, and he died at Messina in the arms of his wife. He was followed within four months by Coelestine III. to the grave. Thirteen months later his wife Constantia followed him, leaving Innocent III. the guardian of her infant son Frederic.[1]

(2) *Innocent III.* A.D. 1198–1216

(a) *Greatness of Innocent III.*

Greatest without exception among the great Popes of the Middle Ages was Innocent III., the arbiter of the destinies of the Empire, the liege lord of vassal kings.[2] None among his predecessors could lay

[1] For genealogy of the House of Hohenstaufen, see pp. 228, 244 and 279.

[2] A short life of Innocent III. in LABBÉ, xiii. 737. He succeeded Coelestine III. in 1198, and died in July 1216, being succeeded by Honorius III. His life and labours are summed up by MILMAN, vol. v. book ix. ch. 1, p. 180, under the following twelve heads. His labours (1) in Rome; (2) in Italy; (3) in the Empire; (4) in France; (5) in England; (6) in Spain; (7) in the northern kingdoms; (8) in Bulgaria and Hungary; (9) in the Byzantine Empire and the East; (10) In the wars of Languedoc; (11) and (12) In establishing the two great monastic orders of St. Dominic and St. Francis. His letters may be found in the collections by BZOVIUS, RAYNALDUS, VADLINGUS, and SPONDANUS.

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claim to a sovereignty so extensive and undisputed; among his successors none ruled with such acknowledged authority. By Gregory VII. the idea of the papal monarchy had been conceived as clearly as by Innocent;[1] Gregory had held the belief that to him, as the successor of St. Peter, the care of all the Churches belonged: his humiliation of Henry IV. at Canossa might seem to be a triumph which it was impossible for anyone to surpass. But that triumph was transient; the struggle had to be fought over again by his successors: his victory was short-lived, and Gregory himself died in exile. Moreover, Gregory's strength had been principally manifested in opposing one individual: towards the kings of England and France he had held a different tone. Much too of what he had dared in his struggles with the emperor had been undertaken, not in bare reliance on his own resources, but in confidence in the sympathies of Italy, and the more available support of the Normans.[2] But the position of Innocent III. was a far different one.

The young prince, Frederic II., King of the Romans elect, was a child; Innocent was the guardian of his kingdom. Rival princes, Philip of Suabia and Otto of Saxony, contended for the imperial dignity: Innocent was the arbiter of their disputes. At Innocent's bidding, Philip of France took back his divorced wife. At Innocent's bidding he prepared to invade England. Before Innocent's legate, John, who could for a time defy the interdict, was at

[1] NEAND. vii. 233.

[2] See Chap. VII. p. 193.

length forced to bow, acknowledging the Pope as his liege-lord, and resigning his crown into his hands. England and France, Germany and Italy, Norway and Hungary, all felt the power of Innocent: Navarre, Castile and Portugal, acknowledged his sway: even Constantinople owned his supremacy, and owned it to her cost.[1]

Uniting in himself the three qualifications which Alexander III. required from an occupant of the chair of St. Peter—zeal in preaching, ability in government, skill in the management of penance;[2]—possessed moreover of an extensive learning in ecclesiastical law; well acquainted with the state and the wants of the Church, both personally and by means of his legates; Innocent III. was in every way most fitted to assert without concealment the idea of the papal theocracy. That idea had been silently growing apace since the time of Gregory; it was now maintained by Innocent in all its severity.

The Pope was 'the vicegerent of God upon earth;'[3] to him 'was intrusted by St. Peter the government not only of the whole Church, but of the whole world;'[4] 'next to God he was to be so honoured by princes, that their claim to rule was lost if they failed to serve him;'[5] 'princes might have

[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 199.

[2] NEAND. vii. 232.

[3] Lib. i. Ep. 326: 'Non hominis puri sed veri Dei vere vicarius 'appellatur.'

[4] Lib. ii. Ep. 209 ad Patriarch. Const.: 'Dominus Petro non 'solum universam Ecclesiam sed totum reliquit saeculum guber-'nandum.'

[5] Lib. xvi. Ep. 131 ad Joannem Anglorum Regem: 'Rex

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power on earth, but priests had power in heaven;'[1] the claim of princes to rule rested 'on human might, that of priests on a divine ordinance;'[2] 'two lights had been planted by God in the firmament of the Church, the greater light to lighten men's souls, the lesser light to preside over their bodies; but as the moon derived her light from the sun, so the authority of princes was derived from that of the Pope.'[3] In short, all the prerogatives which had once attached to the emperors, were wrested from them, and transferred with additions to the Popes.

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'Regum et Dominus Dominantium Jesus Christus . . . ita reg-
'num et sacerdotium in Ecclesia stabilivit, ut sacerdotale sit reg-
'num, et sacerdotium sit regale, sicut in epistola Petrus, et Moyses
'in lege testantur, unum praeficiens universis, quem suum in terris
'vicarium ordinavit; ut sicut ei flectitur omne genu coelestium,
'terrestrium, et etiam infernorum, ita illi omnes obediant et inten-
'dant, ut sit unum ovile et unus pastor. Hunc itaque reges sae-
'culi propter Deum ita venerantur, ut non reputent se rite regnare,
'nisi studeant ei devote servire.' Quoted by GIES. vol. iii. § 54, p. 78.

[1] Ep. 18: 'Principibus datur potestas in terris; sacerdotibus
'autem potestas tribuitur et in coelis.'

[2] Ep. 18: 'Utrumque tam regnum quam sacerdotium institu-
'tum fuit in populo Dei: sed sacerdotium per ordinationem divi-
'nam, regnum autem per extorsionem humanam.'

[3] Lib. i. Ep. 401 ad Acerbum: 'Sicut universitatis conditor
'Deus duo magna luminaria in firmamento coeli constituit, lumi-
'nare majus, ut praeesset diei, et luminare minus, ut nocti praees-
'set; sic ad firmamentum universalis Ecclesiae, quae coeli no-
'mine nuncupatur, duas magnas instituit dignitates, majorem,
'quae quasi diebus, animabus praeesset, et minorem, quae quasi
'noctibus, praeesset corporibus; quae sunt pontificalis auctoritas,
'et regalis potestas. Porro sicut luna lumen suum a sole sortitur,
'quae ne vera minor est illo quantitate simul et qualitate, situ
'pariter et effectu; sic regalis potestas ab auctoritate pontificali
'suae sortitur dignitatis splendorem.'

CHAP. IX.

(b) *Struggles with princes.*

(a) *With Philip Augustus.*

Not without a struggle could the sovereigns of Europe acquiesce in these claims, and renouncing their just rights to independence, own themselves the subjects of another. In the case of many the struggle was short; in the case of all it ended in confusion. The first to enter the lists was Philip Augustus,[1] the King of France, who had divorced his lawful wife, Isemburga of Denmark. The interdict was laid on France; the dead lay unburied; the living were deprived of the services of religion. Against an antagonist armed with such a weapon, even Philip Augustus, brave and firm though he was, was not a match.[2] The idea of the papal power had too firmly taken hold of men's minds; the French would gladly have remained true to their king; they dared not disobey the Vicar of Christ. Besides, as in the case of Nicolas I.'s intervention with Lothar, Innocent's power was exercised on behalf of morality. Philip was obliged to take back his divorced wife, not yielding, as one of his predecessors, Robert, had done,[3] to a feeble superstition, not subdued like

A.D. 1196

1201

[1] Philip II. (Augustus) was King of France 1180–1223.

[2] MILMAN, vol. v. book ix. ch. iv. p. 246 (small edition); GIES. vol. iii. § 54, p. 86.

[3] Robert I., King of France 996–1031, son of Hugh Capet, surnamed the Pious, had abandoned his wife Bertha, to whom he was deeply attached, because the Church discovered some remote impediment to his union, and had undergone seven years penance. MILMAN, vol. iv. book vii. ch. i. p. 32. Another king of France, Philip I., 1060–1108, had been excommunicated by Pope Urban II. an. 1095 for having divorced his wife Bertha, and seduced Beltrada, the daughter of a powerful noble. This time the excommunication attracted little attention, all minds being engaged with the Crusades. MILMAN, vol iv. book vii. ch. v. p. 165.

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Henry IV. by internal dissensions, but vanquished in open fight with an opponent stronger than himself. Somewhat similar was the fate of Alfonso IX., King of Leon, who, contrary to the ecclesiastical canons, forbidding marriages up to the seventh degree,[1] had married his cousin. To enforce the observance of the canon, Leon was laid under an interdict. In vain the clergy petitioned Innocent to remove it, pleading, in support of their petition, the fact that the laity refused to pay tithes, and were going after heretical teachers. Not till Alfonso sent back his cousin would Innocent hear of surrender, or relieve the kingdom from the dreaded ban.[2]

(β) *Struggle with Alfonso IX. King of Leon.*

(γ) *Struggle with King John.*

Nor was John, King of England, more successful than the kings of France and Leon had been, although his cause was juster by far than theirs. As early as the year 1208, the second week before Easter saw the interdict published throughout England, its object being to compel John to admit Stephen Langton, Innocent's nominee, to the archbishopric of Canterbury.[3] In vain John protested against this encroachment on the prerogatives of the crown; in vain he visited with severity the clergy,

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On the present occasion Philip II., after divorcing Isemburga or Ingeburga, 1196, had entered into an adulterous intercourse with Agnes of Meran. MILMAN, vol. v. book ix. ch. iv. p. 246. There is a close parallel between the case of Philip II. and that of Lothar II. See Chap. IV. p. 98.

[1] See HALLAM's *Middle Ages*, vol. ii. pt. ii. ch. vii. p. 208.

[2] HALLAM's *Middle Ages*, vol. ii. pt. i. ch. vii. p. 199; GIES. vol. iii. § 54, p. 86.

[3] LINGARD, vol. ii. ch. v. p. 158; GIES. vol. iii. § 54, p. 87; NEAND. vii. 235.

CHAP. IX.

regular and secular, who obeyed the papal mandate; in vain he affected to despise the menaces of the Pope. His successes against his defaulting vassal, William of Scotland, against the lawless chieftains in Ireland, and against the intrepid Lewellyn in Wales, did not frighten Innocent. The interdict had been previously proclaimed. And more than that, a bull of excommunication was fulminated against the king.[1] A.D. 1211 Still the king held out; still the struggle went on, and the obstinacy of the Pope and the king were nearly evenly matched. It had already lasted for years, when the terror of a French invasion, to which the Pope had invited Philip Augustus, threw a decisive weight into the papal balance. To secure his kingdom against so formidable a foe as Philip, John was fain to yield the point in dispute, and not only yielded, promising to admit Langton to the archbishopric, but perpetrated an act of disgraceful cowardice, which has heaped everlasting infamy on his memory. On the fifteenth day of May, in the year 1213, in the church of the Templars at Ewell, the king put into the hands of Pandulph, the papal envoy, a charter subscribed by himself, one archbishop, one bishop, nine earls, and three barons, setting forth[2] that, 'as an atonement for his offences against God and the Church, he had determined to humble himself, and therefore of his own free-will granted to God, to the holy Apostles Peter and Paul, to Pope Innocent, and Innocent's rightful successors, the

[1] Concil. Northampton. an. 1211; MANSI, *Suppl.* vol. ii. p. 818.
[2] LINGARD vol. ii. ch. v. p. 165, and Appendix D, p. 311.

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kingdom of England and the kingdom of Ireland, to be holden by himself and the heirs of his body, of the bishops of Rome in fee, by the annual rent of one thousand marks, reserving however to himself and his heirs the administration of justice, and all other rights of the crown.'[1] He then took the oath

[1] In Rymer, i. 111, 115, the charter is: 'Johannes Dei gratia 'Rex Angliae . . . omnibus Christi fidelibus . . . salutem. Uni-'versitati vestrae per hanc chartam nostram sigillo nostro muni-'tam volumus esse notum, quia, cum Deum et matrem nostram 'sanctam Ecclesiam offenderimus in multis, et proinde divina 'misericordia plurimum indigere noscamur, nec quid digne offerre 'possimus, pro satisfactione Dei et Ecclesiae debita facienda, 'nisi nos ipsos et Regna nostra humiliemus: volentes nos ipsos 'humiliare pro Illo, qui se pro nobis humiliavit usque ad mortem, 'gratia Sancti Spiritus inspirante, non vi inducti nec timore coacti, 'sed nostra bona spontaneaque voluntate, ac communi consilio 'Baronum nostrorum, offerimus et libere concedimus Deo et 'sanctis Apostolis ejus Petro et Paulo, et sanctae Romanae 'ecclesiae matri nostrae, ac domino nostro Papae Innocentio 'ejusque catholicis successoribus totum regnum Angliae et totum 'regnum Hiberniae cum omni jure et pertinentiis suis, pro remis-'sione peccatorum nostrorum et totius generis nostri, tam pro 'vivis quam defunctis: et amodo illa a Deo et Ecclesia Romana 'tanquam feodatarius recipientes et tenentes, in praesentia pru-'dentis viri Pandulphi, domini Papae sub-diaconi et familiaris, 'fidelitatem exinde praedicto domino nostro Papae Innocentio, 'ejusque catholicis successoribus, et Ecclesiae Romanae secun-'dum subscriptam formam facimus et juramus, et homagium 'ligium in praesentia domini Papae, si coram eo esse poterimus, 'eidem faciemus; successores et haeredes nostros de uxore nostra 'in perpetuum obligantes, ut simili modo summo Pontifici, qui 'pro tempore fuerit, et Ecclesiae Romanae, sine contradictione 'debeant fidelitatem praestare et homagium recognoscere. Ad 'indicium autem hujus perpetuae nostrae obligationis et conces-'sionis volumus et stabilimus, ut de propriis et specialibus reddi-'tibus praedictorum regnorum nostrorum, pro omni servitio et 'consuetudine, quod pro ipsis facere deberemus, salvo per omnia

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of fealty in the very same terms which vassals took to their lords, swearing to be faithful to God, to the blessed Peter, to the Roman Church, to Pope Innocent, and Innocent's rightful successors; not to abet their enemies to the loss of life, limb, or liberty, either by word, deed, or assent; to keep their counsel, and to aid them to the best of his power; to preserve and defend against all men the patrimony of St. Peter, and especially the two kingdoms of England and Ireland.[1] He did more. On the third of October of the same year, when the Papal legate had arrived, he put into the hands of the legate a charter of recognition, an exact counterpart of that which he had given to Pandulph: he then took the oath of fealty again; and afterwards performed homage to the legate as the representative of Innocent. That charter was the signal of Innocent's victory over John. Two years later, a similar charter, extorted at Runnymede, marked the victory of the barons over the same king.[2]

(f) *Surrender of Peter of Aragon.*

Nor was England the only country over which Innocent acquired the rights of a feudal suzerain. In order to make his crown independent of his powerful vassals, and to baffle the claim to supremacy of the King of Castile, Peter II., of Aragon, voluntarily made himself tributary to the Pope, binding himself and his successors to the annual payment of

A.D. 1204

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'denario beati Petri, Ecclesia Romana mille marcas sterlingorum 'percipiat annuatim etc.' Reference was made to this document at Concil. Londinen. an. 1213. MANSI, *Suppl.* ii. 848.

[1] The oath in RYMER, ed. Clarke i. 112.

[2] For the Great Charter see Appendix I.

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200 pieces of gold.[1] In return he was crowned by Innocent at Rome, and took an oath to the Pope as his feudal suzerain.[2] From Innocent, too, as his liege-lord, John Duke of Bavaria accepted the kingly crown. Over Sicily Innocent ruled in the character of guardian to Frederic II., whom his mother had, on her death-bed, commended to his care. Denmark looked to him, and obtained from him justice and redress for the injury inflicted on her royal daughter; and his legate was despatched to Iceland to warn the inhabitants not to submit to the excommunicated and apostate priest Swero. Perhaps it was well, that in those ages there should be some recognised tribunal and fountain for royal honour; and in times of turbulence, princes probably gained more than they lost by becoming the vassals of the pontiffs. Still such power vested in the hands of an ecclesiastic was a new thing in the Church, and placed beyond dispute the greatness which the papal power had reached.

*(c) Interference in Germany.*

*(α) Decides for Otto IV.*

Most clearly of all, however, was the greatness of the papal power manifested, in the way in which Innocent influenced the destinies of the Empire. To him it was, no doubt, a subject of congratulation, that two claimants were contending for the imperial crown, so evenly matched as Otto and Philip; and hence he had no sooner consolidated his power in Italy than he commenced a spirited interference in German politics. As a preliminary step to deciding

[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 200; GIES. vol. iii. § 54, p. 86; MILMAN, vol. v. book ix. ch. vi. p. 314.

[2] Quoted by MILMAN, *ibid.* p. 313.

the rival claims, a writing was drawn up in the usual scholastic form, reciting the arguments in favour of, and those against, the claims of each. Philip it charged with belonging to a race hostile to the Church, and therefore likely to be punished, since the sins of the fathers were visited upon the children to the third and fourth generation. Otto, on the other hand, it stated, belonged to a race devoted to the Church, and therefore declared that the Pope would support Otto in case the princes failed to unite in choosing him.[1] For Otto, accordingly, Innocent declared in 1201, and proceeded to excommunicate his rival Philip.[2] This step on the part of the Pope aroused a determined resistance on the part of Philip and his adherents. It seemed for a time as though Philip would have been successful. Even Innocent was obliged to enter into negotiations with him; but his assassination, which happened soon afterwards, gave a new turn to the case. No power now remained to oppose King Otto; Otto had previously taken an oath of allegiance to the pontiff;[3]

[1] NEAND. vii. 237; and *Regist. Imp.* Ep. 29.

[2] *Regist. Imp.* Ep. 33: 'Personam Philippi, tanquam indignam 'quoad Imperium, praesertim hoc tempore, obtinendum, penitus 'reprobamus, et juramenta, quae ratione regni sunt ei praestita, 'decernimus non servanda. . . . Cum autem carissimus in Christo 'filius noster Otto vir sit industrius, providus et discretus, fortis et 'constans, et per se devotus existat ecclesiae, ac descendat ex 'utraque parte de genere devotorum . . . nos auctoritate beati 'Petri et nostra eum in regem recepimus, et regalem ei praecepi-'mus honorificentiam exhiberi, ipsumque ad coronam Imperii, 'sicut decet, vocare curabimus.'

[3] The oath was taken at Neuss on June 8, 1201. It ran (*Regist. Imp.* Ep. 77): 'Juro quod omnes possessiones, honores et jura

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Innocent's first triumph in Germany was complete, and his vassal-emperor was temporal lord of the West. The Pope had played the old game. He had fostered division, and he had reaped the fruits thereof.

(6) *Deposes Otto IV. Supports Frederic II.*

A further triumph was yet in store for him. The Empire had been bestowed upon Otto by the help of his intervention. But could not the power which had given, also take away? It was not long before circumstances suggested to Innocent a practical answer to this question. No sooner had Otto obtained the imperial crown at the hands of the Pope,[1] than the good understanding between himself and Rome was at an end. The imperial rights in Italy

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'Romanae Ecclesiae pro posse meo bona fide protegam et servabo. Possessiones autem, quas Ecclesia Romana recuperavit, liberas et quietas sibi dimittam, et ipsam ad eas retinendas bona fide juvabo; quas autem nondum recuperavit, adjutor ero ad recuperandum. . . . Ad has pertinet tota terra, quae est a Radicofano usque Ceperanum, exarchatus Ravennae, Pentapolis, Marchia, ducatus Spoletanus, terra comatissae Matildis, comitatus Brittenorii cum aliis adjacentibus terris expressis in multis privilegiis Imperatorum a tempore Ladoici. . . . Adjutor etiam ero ad retinendum et defendendum Ecclesiae Romanae regnum Siciliae. Tibi etiam Domino meo Innocentio Papae et successoribus tuis omnem obedientiam et honorificentiam exhibebo, quam devoti et catholici Imperatores consueverunt sedi apostolicae exhibere. . . . Similiter etiam consilio tuo et mandato parebo de pace vel concordia facienda inter me et Philippum regem Francorum.'

[1] Otto was crowned by Innocent on September 27, 1209, but five months previously, on March 22, 1209, he had been obliged to take a new oath to the Pope at Speier, adding fresh conditions to those of the oath taken eight years previously. See *Regist. Imp.* Ep. 189; and GIES. vol. iii. § 54, p. 84, who quotes the terms of the oath.

were vindicated: the Pope's new creations overthrown.[1] Remonstrances proving vain,[2] sentence of excommunication and dethronement followed.[3] Meantime, Frederic II., whose interests had been hitherto so unscrupulously sacrificed in the previous contests, was judiciously brought forward as a candidate for the now vacant throne, and the legality of his election having been tested at the Lateran Council, he was crowned emperor at Aachen.[4] For the second time, Innocent was triumphant in Germany. Twice he had decided an imperial election. Against one of the emperors whom he supported, he had made his sentence of excommunication and deposition valid; the other he had put forward, intending him to be a mere puppet and instrument in his own hands. But terrible was the vengeance about to recoil on the heads of the Papacy for these abuses of its power. In the proudest moment of Innocent's

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[1] MATH. PARIS. ad an. 1210: 'Circa dies istos Otto Romano-'rum Imperator, memor sacramenti quod fecerat, cum a Papa ad 'Imperium fuerat sublimatus, quod videlicet dignitates Imperii 'conservaret, et jura dispersa pro possibilitate sua revocaret; 'fecit per sacramentum legalium hominum Imperii dominica cas-'tella sua, et alia jura ad dignitatem imperialem spectantia per-'quiri, et quaecumque per recognitionem ad jus Imperii spectare 'didicerat, in usus suos convertere laborabat.'

[2] The first letter from Innocent to Otto complains: 'Turbamur 'non modicum et dolemus, te subito conversum in arcum perver-'sum, quem fore sedis apostolicae magnificum protectorem, 'quondam firmissime credebamus.' It goes on to threaten him with the fate of Nebuchadnezzar, Pharaoh, and the family of the Hohenstaufen.

[3] November 10, 1210, a Concil. Roman. an. 1210. LABBÉ, xiii. 818.

[4] Additio ad Concil. Lat. iv. an. 1215. LABBÉ, xiii. 1024.

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life—the Lateran Council of the year 1215[1]—when all his projects seemed to be successful, when all Europe was obedient to his beck, when even one part of the Eastern Church, thanks to the success of the crusades against Constantinople, had been brought into subjection to the Roman See, and the accomplishment of another crusade was solemnly decreed[2]—in that moment of triumph, Innocent little thought that a storm was impending, and was even then gathering on the horizon which, a few years later, under Frederic II., was about to burst over the Papacy, but not till Innocent III. and his more yielding successor, Honorius III., had passed away.

(3) *Innocent III.'s successors to the time of Innocent IV.* A.D. 1216–1243

The papal power, like the surface of the sea, presents in its growth a constant succession of varying levels.[3] At one moment it rises on the crest of a wave; at another, it is depressed in the adjoining hollow. Under Innocent III., that power had

[1] Amongst other things decreed by this Council, an. 1215 (LABBÉ, xiii. 926 *seq.*), were: The election to bishoprics per scrutinium vel compromissum, Can. 24; the prohibition of pluralities, Can. 29; the exclusion of the sons of capitular clerks from capitular benefices, Can. 31. Can. 44 ruled that the enactments of princes should not prejudice the Church; Can. 50 diminished the prohibited degrees to the fourth degree of affinity; Can. 54 places tithes before taxes; Can. 60 forbids abbots to encroach on episcopal duties; Cans. 67–70 impose restrictions on the Jews.

[2] LABBÉ, xiii. 1007.

[3] The Popes after Innocent III. were Honorius III., 1216. He died in March 1227. His life in LABBÉ, xiii. 1037. Honorius III. was succeeded by Gregory IX. in 1227. He died in August 1241. His life, *ibid.*, p. 1110. Coelestine IV. followed Gregory in 1241, and ruled for fourteen days. *Ibid.* p. 1463. The See of Rome was then vacant for some time, until Innocent IV. was elected June 24, 1243. LABBÉ, xiv. 1.

risen on the summit of its highest wave; then, under Honorius III., came a period of comparative depression, during which little resistance was offered to Frederic's attempts to restore the rights of the crown in his Sicilian dominions[1] and to reduce Lombardy to the Empire.[2] But under Gregory IX. the Papacy was again borne aloft on the top of a new wave, which threatened, as it broke, to submerge the only temporal sovereign who still ventured to encounter the Pope. Under Gregory IX., too, the storm, which had long been gathering, burst forth, first on the Papacy, then on the Empire. When it had passed away, neither held the position which they formerly enjoyed. For terrible was the collision between the two mightiest elements of society, the political and the ecclesiastical powers. Gregory IX. represented the moral and religious forces of society, but these forces distorted by superstition into a power, the rival of political government. Frederic II., the knight, the poet, the lawgiver, the patron of arts, letters and science, the Teutonic emperor, was the champion of civil order. Gregory IX. was passionate and headstrong; Frederic II. bold, unscrupulous and crafty.

*(a) First collision of Gregory IX. and Frederic II.*

The first collision between these forces, broke out in the year 1227; it lasted for three years, and though at its close Frederic had the upper hand,

A.D. 1223–1230

[1] See the letter of Honorius III. to Frederic II., an. 1226, beginning 'Miranda tuis sensibus,' attributed by mistake to Gregory IX. and found among his letters. Ep. xvii. LABBÉ, xiii. 1161; cf. GIES. vol. iii. § 55, p. 94.

[2] MILMAN, vol. vi. book x. ch. iii. p. 94 (small edition).

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yet he understood too well the spirit of the age, to push matters to extremities, and at St. Germano he concluded a treaty with the Pope to the advantage of the latter. The sentence of excommunication which had been pronounced on Frederic,[1] because he had failed to start on his crusade at the appointed time, which had been again pronounced upon him as soon as he prepared[2] to start, which had followed him into Palestine, branding him as a persecutor of the Church,[3] and thwarting him at every step, was withdrawn: Frederic granted a complete amnesty to all his rebellious subjects; he consented to restore all the places he occupied in the papal dominions, and all the estates which he had seized belonging to churches, monasteries, the Templars, Hospitallers, and other adherents and supporters of the Pope; he renounced the right of judging the ecclesiastics of his realm, surrendered the claim to lay taxes on ecclesiastical

[1] The reasons for the sentence of excommunication pronounced on Frederic, September 30, 1227, are set forth by Gregory IX. Ep. ii. ad Stephan. Archiep. Cant. LABBÉ, xiii. 1112.

[2] The first sentence was pronounced September 30, 1227, the second March 23, 1228. One of the sentences in GREG. ix. Ep. xi. LABBÉ, xiii. 1147. See MILM. vol. vi. book x. ch. iii. p. 112.

[3] Gregor. IX. Ep. 3 ad Romanum Francorum legatum, LABBÉ, xiii. 1116; 'Attende quaesumus, et vide, si est dolor sicut dolor 'noster, quia filium quem nutrivit ecclesia Romana et exaltavit, 'sperans eum propugnatorem habere contra perfidas nationes, 'ecce nunc persecutorem sentit immanem et hostem validum 'experitur. Et ne taceamus atroces injurias et jacturas enormes, 'quibus Fredericus dictus imperator ecclesiam et personas eccle-'siasticas damnabiliter hactenus flagellavit, patrimonium aposto-'licae sedis per Saracenos et alios impugnat: et quod detesta-'bilius est, cum Soldano et aliis Saracenis nefandis contrahens 'pactiones, illis favorem, Christianis odium exhibet manifestum.'

property, and, it was said, promised to defray the expenses of the war. The Pope and the emperor were once more at one.[1] CHAP. IX.

(b) *Second collision.* A.D. 1239–1241

But this friendship was not destined to be of long duration. It was wrecked on the rock of Italian politics. Frederic was anxious to recover the old right of the emperors in Lombardy; the Pope was equally anxious to prevent his doing so. When Frederic, having experienced the futility of mediation, took up arms to effect his object, Gregory espoused the cause of the Lombard towns; and charging him with oppressing the Church, and spoiling her of her possessions, again pronounced on him, on Palm Sunday in the year 1239, the sentence of excommunication.[2] Still Gregory was 1239 able to do little more than threaten, prefer charges, and attempt unsuccessful schemes. The force of circumstances added to the energetic and politic character of Frederic ever thwarted his projects. He might indite letters[3] in which the emperor was

[1] Treaty of St. Germano was concluded August 28, 1230. See GIES. vol. iii. § 55, p. 99; RAYN. an. 1230, No. 3; RAUMER, iii. 458; MILMAN, vol. vi. p. 145.

[2] MILMAN, vol. vi. book x. ch. iv. p. 182.

[3] Gregor. IX. Ep. 12 ad Archiep. Cant. LABBÉ, xiii. 1149: 'Ascendit de mari bestia blasphemiae plena nominibus; quae 'pedibus ursi et leonis ore desaeviens, ac membris formata ceteris 'sicut pardus, os suum in blasphemias divini nominis aperit, 'tabernaculum ejus et sanctos qui in coelis habitant, similibus 'impetere jaculis non omittit. Haec unguibus et dentibus ferreis 'cuncta confringere, et suis pedibus universa desiderans conculcare, 'fidei occultos olim paravit arietes; et nunc apertas machinas 'instruit Ismaelitarum, gymasia animas avertentia construit, et in 'Christum humani generis redemptorem, cujus testamenti tabulas 'stylo pravitatis haereticae nititur abolere, fama testante consurgit

PART II.

portrayed in the blackest colours, as the beast rising from the sea full of names of blasphemy, with the feet of a bear, and the jaws of a lion, raging against the saints of God; as the dragon set for the annoyance of himself, and pouring forth from his lips waters of persecution against the Church; as the staff of the impious, the sledge hammer of the earth, building up the walls of Babylon on the habitations of Christians; as holding Christ, Moses, and Mahomet alike for impostors, and asserting that nothing ought to be believed except what could be rationally supported. Such charges, whether true or untrue, could not injure the victorious monarch, but they could injure the Pope, since their whole tone was one of the most violent rancour. Hence, when Gregory

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'. . . ut ejus resistere aperta veritate mendaciis, ac illius confutare 'fallacias puritatis argumento possitis, caput, medium, et finem 'hujus bestiae Frederici dicti imperatoris inspicite. . . .' *Ibid.* p. 1154: 'Licet draco iste, qui ad illudendum nobis formatus, et 'in escam populo Aethiopum datus existit, aquas persecutionum 'in subversionem ecclesiae ex ore quasi fluvium miserit; apos-'tolica tamen sedes ipsius nequitiam inaestimabili beneficiorum 'misericordia superavit. . . . Iste baculus impiorum, terrae mal-'leus, universam conturbare terram . . . cupiens . . . personas 'ecclesiasticas carceri mancipavit, . . . et bona ecclesiastica . . . 'exulare coarctat. Ecclesiis pastorum solatio viduatis non per-'mittit sibi sponsum eligere. . . . De Christianorum habitaculis 'construens moenia Babylonis. . . .' *Ibid.* p. 1157: 'Sicque 'affirmans non esse apud ecclesiam a Domino beato Petro et 'ejus successoribus ligandi atque solvendi traditam potestatem. '. . . Sed quia aminus bene ab aliquibus credi possit quod se verbis 'illaqueaverit oris sui, probationes in fidei victoriam sunt paratae: 'quia iste rex pestilentiae a tribus baratatoribus, ut ejus verbis 'utamur, scilicet Christe Jesu, Moyse, et Machometo, totum 'Mundum fuisse deceptum. . . . Insuper quod omnes fatui sunt, 'qui credunt nasci de Virgine Deum, qui creavit naturam.'

CHAP. IX.

tried to raise up a rival emperor, Germany resisted, and loudly expressed her indignation because her natural defender was detained in Italy, whilst the Mongols were devastating her borders:[1] France refused to hear of the project, although the crown was offered to Robert, the king's brother: and England, already the victim of most impudent plundering, resounded with most bitter outcries against Rome and the Roman policy.

Frustrated in his last attempt to convene a council at Rome, to identify his cause with the cause of the Church, Gregory IX. died, whilst the power of Frederic was still unbroken. He had begun his papal career by stating the claims of the Popes at the exalted pitch at which the great Innocent had placed them. He had ended in vexation, since he found in Frederic an antagonist more than his equal. The storm had burst over the Papacy, and temporarily humbled it, but not to such an extent that it could not recover. Tenfold was the vengeance which it ultimately wreaked on its opponent, but not immediately.

A.D. 1241

As long as Frederic was alive, the state of things continued nearly unaltered; Innocent IV., the successor of Gregory,[2] only becoming more hostile to the emperor, in proportion as the adherents of Frederic rallied more closely about him. After vainly seeking to obtain a reception in Aragon, France, and England,[3] the Pope suddenly escaped to

B. *The struggle with the Empire. Innocent IV. and his successors.* 1243-1294

[1] See the passages quoted by GIES. vol. iii. § 55, p. 104.

[2] After Coelestine IV. See note 3 on p. 258.

[3] MATH. PAR. p. 655.

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(1) *Persecution of Hohenstaufen.*

(*a*) *In Frederic II.'s lifetime.*

A.D. 1243–1250

Lyons, and there proceeded to convene a general council in 1245, in which sentence of excommunication and dethronement against Frederic was renewed on the ground of perjury, sacrilege, heresy, and defiance of the Church.[1] A rebellion was stirred up in Sicily, a rival king set up in Germany. For the sentence Frederic cared little; the rebellion was soon quelled; the rival king fell before King Conrad; and soon Frederic's ascendency was so decisive, that the Pope could find no one willing to accept the offered crown, except William, Count of Holland. It seemed as though the work of Innocent III. were undone; as though for the second time since Innocent III. the fortunes of the Papacy had sunk to a low ebb; this time lower than before, as though the storm which had burst forth had utterly prostrated it. Then by one of those changes apparently slight, but fraught with great consequences in history, the tide turned once more; a new wave of elevation rolled in. Innocent IV. was still Pope, but Frederic II. was gone, having died on December 13th, 1250.

(*b*) *Persecution of Hohenstaufen after the death of Frederic.*

A.D 1250–1268

Now follows a period of eighteen years, including the last years of the pontificate of Innocent IV., and the pontificates of Alexander IV., Urban IV. and Clement IV., all Popes of average ability, all upholding the principles of Innocent III., all furthering the two schemes which engaged the attention of their predecessors—the overthrow of the house of Hohenstaufen, and the decision of imperial

[1] The sentence in LABBÉ, xiv. 47, an. 1245.

elections in Germany. Of the Hohenstaufen three representatives alone survived, Conrad the son of Frederic II., his son Conradin, born in 1252, and his half-brother Manfred. Against Conrad Innocent could do little; the rival emperor whom he favoured in Germany commanded feeble respect, and Manfred defended for Conrad his ancestral kingdom of Sicily. The year 1254, however, saw the death of both Conrad and his rival, Innocent IV.,[1] yet not of Innocent till he had treacherously presented the crown of Sicily to the English prince Edmund, whilst at the same time he had engaged to Manfred to respect the rights of Conradin, the infant son of Conrad. Roused by this act of perfidy, Manfred anew took up arms as the

[1] The Popes during this period are as follows: Innocent IV. elected in 1243, died December 1254; for his life, LABBÉ, xiv. 2. Innocent IV. was succeeded by Alexander IV. in 1254: he died April 1261; for his life, *ibid.* p. 145. After a vacancy of three months Urban IV. was elected in 1261: he died October 1264; his life, *ibid.* p. 305. Clement IV. succeeded in February 1265, and died November 1268; his life, *ibid.* p. 325. The See was then vacant for two years and nine months, until the election of Gregory X. in 1271: Gregory died January 1276; his life, *ibid.* p. 467. Innocent V. succeeded February 1276, dying five months later; *ibid.* p. 561. Hadrian V. elected July 1276, died forty days later; *ibid.* He was followed by John XIX. [XX.] September 1276, who died in the following year; his life, *ibid.* p. 585. Nicolas III. succeeded December 1277, and died 1280; *ibid.* p. 595. After a five months' vacancy Martin II [IV.] was elected February 1281, and died 1285; *ibid.* p. 721. Next followed Honorius IV. in April 1285 to April 1287; *ibid.* p. 851. Then after a year's vacancy in 1288, Nicolas IV., who held it until 1292; *ibid.* p. 1161. After a two years' vacancy Coelestine V. succeeded in 1294; his life, *ibid.* p. 1206.

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guardian and protector of his nephew. Supported by his brave and faithful Saracens, he bade defiance to Alexander IV., who had almost exhausted England in his endeavours to support Edmund's cause; he was himself elected to the crown of Sicily, overran the states of the Church, and compelled the Pope to sue for peace. When England could pay no more, the crown was offered by Urban IV. to Charles of Anjou; but, nothing daunted, Manfred came forth to meet his new opponent, and at Urban's death was in possession of a great part of the states of the Church. How long the contest would have been prolonged, it is impossible to say. But a papal bull gathered an army of crusaders from Provence about Charles, and treachery aided his designs. At Benevento, the noble Manfred fell, losing the battle together with his life.

A.D. 1258

1260

Feb. 26, 1266

And now the time was come for the lofty race of the Hohenstaufen to fall. Conradin, the grandson of Frederic, alone survived. That unhappy youth, making one ineffectual attempt to recover his father's dominions, was defeated and taken prisoner at Tagliacozzo, and bloody vengeance executed on him. On a scaffold at Naples, the execution of five persons might have been witnessed on October 29, 1268, undertaken by command of the Count of Anjou, among them being two in particular, the one Frederic of Bavaria, the other Conradin.[1] As the latter knelt with uplifted hands, awaiting the blow of the executioner, and uttered these last words: 'O my mother! how deep will be thy

Aug. 23, 1268

[1] See MILMAN, vol. vi. book xi. ch. iii. p. 391.

sorrow at the news of this day!' even the followers of Charles could hardly restrain their pity and indignation. Yet their pity did not avail him. He lies not in consecrated ground—the inexorable rancour of his enemies would not grant that boon. No death-knell except his own words sounded over the decease of the last scion of the house of Hohenstaufen, dead in his early youth. That house, greatest of Germany's imperial families, had for nearly a century and a half headed the van of opposition to the growing papal claims. Rarely had it been defeated, except when other circumstances combined against it, as they did against the great Frederic at Venice, or the second Frederic at St. Germano. But now its glory was gone for ever; its last gleam of light was extinguished, itself the victim of the enduring hatred of Clement IV. ignobly sacrificed to the rancour of an ignoble foe. The Papacy had triumphed, and the Hohenstaufen were extinct.

(2) *Decision of imperial elections.*

The other point to which Innocent IV. and the succeeding Popes chiefly directed their attention was the decision of imperial elections.[1] Already, in 1246, Innocent IV. had put forward 'the priest's king,' Henry Raspe, and on his death William of Holland, as a rival emperor to Frederic II. When death had carried off both Frederic and William, Alexander IV. possessed sufficient influence to prevent the election of Frederic's son Conrad. At a still later time, A.D. 1259 Alexander was looked to by Germany to decide between the two candidates, Richard of Cornwall and

[1] See note on imperial elections, Chap. X. *infra*.

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Alfonso of Castile.[1] Although he decided in favour of Richard, who was supported by the Archbishop of Cologne, and among others by the cities of Frankfurt, Oppenheim, Wesslar and Friedberg, yet his successor, conscious of his own strength, professed to regard the question as still open, and repeatedly summoned the candidates before his throne, but without pronouncing any decision. At length, by a long series of aggressions, the idea of the ascendency of the papal power over the German crown was so firmly established, that on Richard's death, Gregory X. wrote to the electors, threatening himself 'to provide for the desolate conditions of the Roman Empire, unless within the time prescribed they agreed in their choice.'[2] Once the emperors had decided papal elections, now the Popes took upon themselves to decide imperial elections. Such is the nemesis of history. The newly elected emperor, Rudolph of Hapsburg, was obliged to acknowledge the papal supremacy, and to swear 'to preserve and protect the honours and rights of the Roman Church, and to honour and obey his lord, Gregory X., and his successors.' By a threat of excommunication, Alfonso was induced to renounce his pretensions; and to complete the triumph, a few

[1] See the documents quoted by Gfrs. vol. iii. § 57, p. 119.

[2] An historian in Urctisii, *German. Historie*, ii. 93 relates: 'Gregorius P.X. . . . praecepit principibus Alemanniae electoribus, 'ut de Romanorum Rege, sicut sua ab antiqua et approbata con-'suetudine intererat, providerent, infra tempus eis ad hoc de 'Papa Gregorio statutum: alias ipse de consensu Cardinalium 'Romani Imperii providere vellet desolationi.'

CHAP. IX.

A.D. 1278

years later, not ten years after the unfortunate Conradin had perished on the scaffold, Nicolas III. secured the territorial independence of the states of the Church by gaining from Rudolph an absolute release from imperial sovereignty for all the dominions already granted to the Roman See.[1]

C. *Boniface VIII.* 1294–1303

(1) *His tyranny.*

The historian tracing the growth of the papal power, naturally passes on from the pontificate of Nicolas III. to that of Boniface VIII., who, by a combination of ambition, daring and craft, made his way to the papal throne, and now carried its pretensions to power to their highest pitch. Without any claim to spiritual character, without even moral worth, avaricious, unscrupulous, and revengeful, dignified only in distress, Boniface VIII., in wanton abuse of power, went far beyond his great predecessor, Innocent III., but his moral ascendency over the minds of men was far less than that of Innocent. Innocent's acts were those of a monarch powerfully heading the current of popular sympathies; those of Boniface were the acts of a cruel tyrant, whose might is his only right, and whose dominion is sullenly endured. Innocent's pontificate prepared the way for the greatest triumphs of the Papacy; that of Boniface for the great reaction against it, which culminated in the Reformation.[2]

(2) *His defective title.*

The accession of Boniface is marked by an occurrence unprecedented in the annals of the Papacy since

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[1] HALLAM'S *Middle Ages*, vol. i. pt. ii. ch. iii. p. 114 (smal edition).

[2] For the life of Boniface VIII., who succeeded Coelestine V. in 1294, and died October 1303, see LABBÉ, xiv. 1222.

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the era of the Hildebrandian Church reforms. Before that era, instances had occurred of Popes resigning their See. The worthless Benedict IX. had been deposed to make way for Silvester III.; he had afterwards sold his See to Gregory VI.;[1] Benedict X. had been displaced to make way for Nicolas II.[2] But how could a Pope be lawfully deposed or be able to resign, now that he was conceived to be invested with the highest dignity upon earth, and stood forth as the vicar of Christ? Benedetti, however, artfully taking advantage of the feeble Coelestine V., whom age and monkish life ill fitted for the round of business in the papal court, suggested scruples of conscience, and induced him to retire to his former life; then, having secured his own election, he kept his predecessor in close confinement for the rest of his days, lest he should at any time reassert his claims. In acting thus, he certainly established the greatness of his own power, but he weakened that of his successors by giving a precedent, of which the Councils of Pisa and Constance were afterwards not slow to avail themselves.

(3) *Persecution of the Colonnas.*

A like result followed from another of Boniface's most overbearing and revengeful acts. That terrible vengeance which, for the offence of one knight, who had plundered a convoy of papal treasure, placed the entire family of the Colonnas under the ban, and, recounting the sins of that family from distant generations, deposed all its members from every spiritual and secular office, destroyed their castles, and

[1] See Chap. V. p. 138.

[2] See Chap. VII. p. 192.

confiscated their estates, was a stretch of power which, even if exerted in a just cause, went beyond the limits of human endurance.[1] Great, therefore, was the resentment which it called forth, when it was seen to be an act of personal revenge, aimed at two cardinals of the Colonna family, who had opposed the Pope's election. From their humiliation those cardinals called for justice. Boniface, it is true, gained the day; nothing remained for the Colonnas, when a crusade had been preached against them, but to throw themselves at the feet of the Pope, and sue for mercy. When he anew persecuted them, they fled to France. But the fact remained on record to form a precedent for future times, that an appeal had been made to a general council, and that a higher tribunal had been invoked which should pass judgment even on the Pope.

(4) *Grant of Indulgences.*

A Pope who could travesty the solemn words, 'Dust thou art, and unto dust shalt thou return,' into 'A Ghibelline thou art, and unto dust shalt thou return with the Ghibellines,' might be expected on other occasions to sacrifice religious proprieties for wordly gains. And so it actually happened. Taking advantage of the close of the century, Boniface, on January 1, 1300, ascended the pulpit of St. Peter's, which was draped with rich tapestry for the occasion and crowded with expectant votaries. There, having concluded his sermon, he unfolded a bull, sealed with the pontifical seal, granting to all Romans who for thirty days, to all strangers who for fifteen

[1] NEAND. ix. 5.

PART II.

days after Easter, should devoutly visit the churches of St. Peter and St. Paul in Rome, the fullest indulgence, on condition that they truly repented and confessed their sins.[1] The bull was received as a general boon, and Rome was thronged with crowds of penitents—a source of gain to the Romans, a mine of untold wealth to Boniface. Far exceeding what any one of his predecessors had ventured to do before, this lavish exercise of spiritual jurisdiction by Boniface displayed in its fullest dimensions the extravagance of his assumptions; but, like so many of his other acts, it weakened the papal power, provoking opposition by its wantonness, though in this case the opposition was directed against its spiritual, and not against its temporal pretensions.

(5) *Conflict with Philip the Fair.*

And now began the memorable conflict between Boniface and Philip the Fair of France, the last great struggle between a Pope and a king—Philip in avarice and ambition the equal of Boniface, in unflinching unscrupulousness, if it were possible, his superior. Neither shrunk from pushing his claims to their extreme limit; neither from couching them in the plainest and most abrupt language.

(*a*) *First struggle.* A.D. Feb. 24, 1296

The conflict began in 1296, when the Pope issued a bull, known from its initial words as *Clericis laicos*, which pronounced the ban on all princes and nobles, who under any pretext imposed tallages on the Church and clergy.[2] Although the bull did not

[1] NEAND. ix. 3.

[2] Quoted in Lib. Sex. *Decretal.* lib. iii. t. xxiii. cap. iii.; in RYMER, *Foed. ed.* CLARKE, i. ii. 836; in GIES. vol. iii. § 59, p. 134: 'Clericis laicos infestos oppido tradit antiquitas, quod et praesen-

mention Philip by name, it was clearly aimed at him; the Pope's object being to induce Philip by fear of wanting supplies to refer his dispute with the English king Edward I. to himself for decision. In this object he failed at the time, having entirely misjudged the character of his opponent. Philip retaliated by prohibiting the exportation of gold and silver out of France, thus depriving Boniface of an important portion of his revenues, and Boniface found it best for his own interests to repeal the bull with regard to France,[1] and to court the favour of Philip. Friendly

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'tium experimenta temporum manifeste declarant dum suis finibus 'non contenti nituntur in vetitum, ad illicita fraena relaxant nec 'prudenter attendunt, quae sit eis in clericos, ecclesiasticasve 'personas et bona interdicta potestas: . . . et (quod dolenter 'referimus) nonnulli Ecclesiarum Praelati . . . trepidantes, ubi 'trepidandum non est, . . . plus timentes majestatem temporalem 'offendere quam aeternam, talium abusibus . . . adquiescunt, 'sedis apostolicae auctoritate seu licentia non obtenta. Nos 'igitur, talibus iniquis actibus obviare volentes, de fratrum nos-'trorum consilio apostolica auctoritate statuimus, quod quicumque 'Praelati, ecclesiasticaeque personae . . . collectas vel tallias, 'decimam, vicesimam seu centesimam suorum et Ecclesiarum pro-'ventiuum . . . laicis solverint vel promiserint, aut quamvis aliam 'quantitatem . . . sub adjutorii, mutui, subventionis, subsidii vel 'doni nomine, seu quovis alio titulo, modo, vel quaesito colore, 'absque auctoritate sedis ejusdem; necnon Imperatores, Reges 'seu Principes, . . . qui talia imposuerunt, exegerint vel rece-'perint, aut apud aedes sacras deposita Ecclesiarum . . . arres-'taverint, saisiverint, seu occupare praesumserint, necnon omnes, 'qui scienter dederint in praedictis auxilium, . . . eo ipso sen-'tentiam excommunicationis incurrant. . . . A supradictis autem 'excommunicationum et interdicti sententiis nullus absolvi valeat, 'praeterquam in mortis articulo, absque sedis apostolicae auc-'toritate.'

[1] Or rather to explain it twice; first, February 7, 1297, afterwards, July 31, 1297. The former explanation in RAYNALD ad h.

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relations were restored, and Philip agreed to accept the arbitration of the Pope. Thus by a yielding policy Boniface succeeded in obtaining a success, which he had been unable to gain by force; but whilst the gain was personal, a sacrifice had been made of the dignity of his office.

*(b) Second struggle.* A.D. 1298

A year or two later the quarrel broke out afresh; Philip being dissatisfied with the Pope's award; Boniface charging Philip with oppressing the Church. Saiset de Pamiers, the papal legate, threatened the king with excommunication, his whole kingdom with the interdict.[1] To Philip Boniface wrote: 'Thou art to know that in things spiritual and temporal thou art subject to us. . . . Those who think otherwise we hold to be heretics.'[2] The French prelates he summoned to Rome to confer with him on the abuses in Philip's administration; Philip himself he cited to

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an. No. 49, and GIES. vol. iii. § 59, p. 137: 'Quia ejus est inter-'pretari cujus est condere, ad cautelam tuam . . . decernimus, 'quod si Praelatus aliquis . . . voluntarie . . . donum aut mu-'tuum tibi dare . . . voluerit, . . . te Praelatos etc. ipsa consti-'tutio non astringat.' The latter, *ibid.* No. 50, and GIES. *ibid.*: 'Adjicimus insuper hujusmodi declarationi nostrae, quod si prae-'fatis Regi et successoribus suis pro universali vel particulari ejus-'dem regni defensione periculosa necessitas immineret, ad hujus-'modi necessitatis casum se nequaquam extendat constitutio me-'morata.'

[1] See the documents in DU PUY, p. 621; MARTENE, *Thesaurus*, i. 1319.

[2] BULAEUS, iv. 7; BAILLET, p. 163: 'Deum time et mandata 'ejus observa. Scire te volumus, quod in spiritualibus et tempo-'ralibus nobis subes. Beneficiorum et Praebendarum ad te col-'latio nulla spectat: et si aliquorum vacantium custodiam habeas, 'fructus eorum successoribus reserves. . . . Aliud autem credentes 'haereticos reputamus.'

CHAP. IX.

A.D. Nov. 18, 1302

appear before them, bidding him observe, so the letter ran, 'what the Lord our God utters through us.'[1] The celebrated bull, Unam Sanctam, was put forth, repeating in a still more advanced form the principles of Innocent III., declaring that to St. Peter, as the one head of the Church, and to his successors, two swords had been committed, the one temporal, the other spiritual; that the temporal sword was to be used *for* the Church, the spiritual *by* the Church; and concluding by the assertion that for every human being subjection to the Pope was necessary for salvation.[2] To crown the whole, a bull was issued on April 13, 1303, pronouncing sentence of excommunication on the king.[3]

To all these menaces Philip replied with equal

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[1] RAYNALD, l. c. No. 31; BULAEUS, iv. 7; DU PUY, p. 48: 'Ausculta, fili carissime, praecepta patris, et ad doctrinam magistri, 'qui gerit illius vices in terris, qui solus est Magister et Dominus, 'aurem tui cordis inclina. . . . Tu autem audies, quid loquetur in 'nobis Dominus Deus noster.'

[2] RAYNALD, an. 1302, No. 13; GIES. vol. iii. § 59, p. 146: 'Unam sanctam Ecclesiam catholicam et ipsam apostolicam ur- 'gente fide credere cogimur et tenere. . . . Igitur Ecclesiae unius 'et unicae unum corpus, unum caput, non duo capita, quasi mon- 'strum, Christus videlicet et Christi vicarius Petrus, Petrique suc- 'cessor. . . . In hac ejusque potestate duos esse gladios, spiri- 'tualem videlicet et temporalem, evangelicis dictis instruimur. 'Nam dicentibus Apostolis *Ecce gladii duo hic* (Luc. xxii. 38) in 'Ecclesia scilicet. . . . uterque ergo est in potestate Ecclesiae, 'spiritualis scilicet gladius et materialis. Sed is quidem pro Ec- 'clesia, ille vero ab Ecclesia exercendus. Ille sacerdotis, is manu 'Regum et militum, sed ad nutum et patientiam sacerdotis. . . . 'Porro subesse Romano Pontifici, omni humanae creaturae de- 'claramus, dicimus, definimus et pronunciamus omnino esse de 'necessitate salutis.'

[3] DU PUY, p. 98; BULAEUS, iv. 38.

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boldness; Saiset, the legate, who was moreover a subject of France, he contemptuously sent out of the kingdom unanswered. To Boniface's laconic letter he replied by one equally laconic: 'Let thy most consummate folly know that in temporal things we are subject to no man. . . . Those who think otherwise we hold to be foolish or mad.'[1] He forbade the prelates to leave the kingdom and sequestrated the goods of those who disobeyed, and assembling the States General, to assure himself of the support of his subjects, he recounted the attacks which had been made on his sovereignty. The bull, Unam Sanctam, was publicly burnt, and to the bull of excommunication he replied by preferring before the States General a list of charges against the Pope, and making a solemn appeal to a general council to examine these charges. Thus for the second time in Philip's reign an appeal was made from the Pope to a council; the sympathies of the States General were enlisted on the side of the king; and the weapon which Hildebrand had first employed against the clergy was now employed by Philip against Hildebrand's successor.

A.D. April, 1302

June 13, 1303

*(c) Fall of Boniface.*

The sequel of the struggle is soon told. Boniface

[1] Bulaeus, iv. 11; Baillet, p. 111; Gies. vol. iii. § 59, p. 143. 'Philippus Dei Gratia Francorum Rex Bonifacio se gerenti pro 'summo Pontifice salutem modicam, seu nullam. Sciat maxima 'tua fatuitas, in temporalibus nos alicui non subesse; Ecclesiarum 'ac Praebendarum vacantium collationem ad Nos jure regio per-'tinere; fructus earum nostros facere; collationes a nobis hac-'tenus factas et in posterum faciendas fore validas in praeteritum 'et futurum; et earum possessores contra omnes viriliter nos 'tueri; secus autem credentes fatuos et dementes reputamus.'

had gone too far to be able to withdraw, and Philip was not disposed to give way. Whilst the Pope thought to celebrate his triumph over France, the handwriting was seen on the wall. Before Anagni, his native city, whither he had withdrawn with his cardinals from the summer heat of Rome, William de Nogaret, Philip's keeper of the seals, appeared on September 7, 1303, at the head of a troop of armed men. He entered the city at early dawn, and soon the cry resounded: 'Death to Pope Boniface! Long live the King of France!' The people took part with the soldiers; the cardinals fled. Not losing his self-command, but declaring himself ready to die like Christ, if like Christ he were betrayed, Boniface put on the stole of St. Peter, and with the imperial crown on his head, the keys of St. Peter in one hand, the cross in the other, took his seat on the papal throne; and, like the Roman senators of old, awaited the approach of the Gaul.[1] But he had not been three days in the hands of Nogaret, when the citizens of Anagni by a sudden impulse turned round; the French were driven from Rome, and Boniface was once more at liberty. To Rome he returned; no longer to exercise that sway over men's minds which he had wielded in the days of his prosperity, but to find himself a prisoner, the Sacred College his enemies. In an access of fury, the Ghibelline historians relate, brought on by wounded pride and ambition, the fallen Pontiff sat gnawing the top of his staff, and at length beat out his brains against the wall.

[1] See MILMAN, vol. vii. book xi. ch. ix. p. 149.

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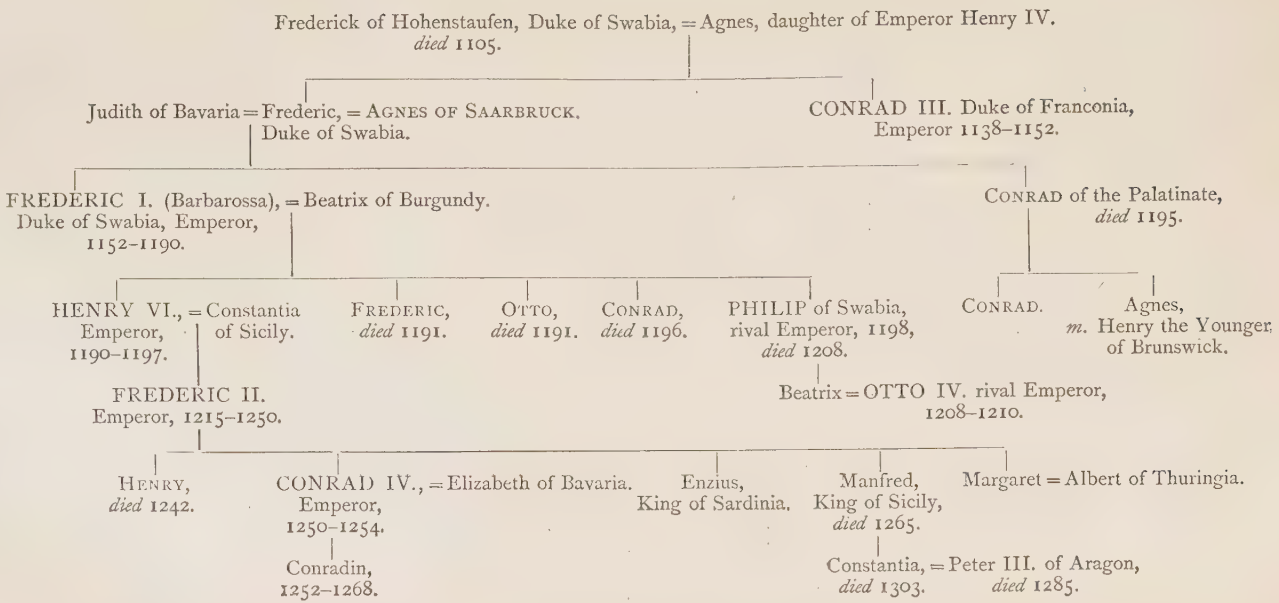
In the fall of Boniface was shadowed forth the fall of the papal supremacy, which for so long had held dominion over men's minds and bodies. In the bold and unscrupulous use of ecclesiastical power no Pope had ever been the equal of Boniface; there is nothing in the life of the great Innocent III. which equals Boniface's crusade against the Colonnas, nothing in that of Gregory VII. which approaches the series of bulls hurled at the head of Philip. Nevertheless, had all other signs of decline been wanting, and could the last scene of Boniface's life be expunged from history, those two appeals to a general council, that successful enlistment of the sympathies of the States General against Boniface, showed that the papal power had begun to decline. The year of Jubilee, with its lavish grant of indulgences, provoked the reaction which prepared the way for the era of the Reformation.

## *GENEALOGY OF THE HOUSE OF HOHENSTAUFEN.*


Frederick of Hohenstaufen, Duke of Swabia, died 1105.
Agnes, daughter of Emperor Henry IV.
Judith of Bavaria
Frederic, Duke of Swabia.
AGNES OF SAARBRUCK.
CONRAD III. Duke of Franconia, Emperor 1138–1152.
FREDERIC I. (Barbarossa), Duke of Swabia, Emperor, 1152–1190.
Beatrix of Burgundy.
CONRAD of the Palatinate, died 1195.
HENRY VI., Emperor, 1190–1197.
Constantia of Sicily.
FREDERIC, died 1191.
OTTO, died 1191.
CONRAD, died 1196.
PHILIP of Swabia, rival Emperor, 1198, died 1208.
CONRAD.
Agnes, m. Henry the Younger of Brunswick.
FREDERIC II. Emperor, 1215–1250.
Beatrix
OTTO IV. rival Emperor, 1208–1210.
HENRY, died 1242.
CONRAD IV., Emperor, 1250–1254.
Elizabeth of Bavaria.
Enzius, King of Sardinia.
Manfred, King of Sicily, died 1265.
Margaret
Albert of Thuringia.
Conradin, 1252–1268.
Constantia, died 1303.
Peter III. of Aragon, died 1285.

# CHAPTER X.

## THE HOLY EMPIRE.

(1046—1303.)

*Fecitque Deus duo luminaria magna.*—GEN. I. 16.

PART II.

A. *The Holy Empire.*

(1) *Meaning of the expression.*

NO greater error can be committed in studying the history of any epoch, than that of bringing the ideas of one age to explain those of another. This statement applies in particular to the developed ideas of modern times, in which there is often very little analogous to the ideas of a remote past. That sharp distinction between the Church and the State, which has grown so familiar to most of us, but only by a long course of training, had no existence in the period from the eleventh to the fourteenth century. Then the Church was co-extensive with the State. All who were members of the Church were members of the State. Those who were excluded from the fellowship of the Church were excluded from the protection of the State. The laws of the Church were the laws of the State. Religious ceremonies were also civil ceremonies. The civil act of crowning a king was performed by the Church, and became an ecclesiastical act. The ecclesiastical act of framing canons was jointly performed by the State. In short, Church and State were involved

in each other, not in the same way that Church and State are now involved as distinct bodies intertwining, but as one and the same body viewed from different aspects. The Church of the eleventh century is identical with the Empire of the eleventh century; the Church representing the spiritual, the Empire representing the temporal aspect; but both being aspects of one and the same community. In that one community Church and State unite, their union giving rise to an Ecclesiastical State, or Holy Empire, itself one body, but a body having two heads, the Pope and the emperor, having two orders of nobility, a spiritual and temporal nobility, having two sets of officers, priests and knights. The Pope is the ecclesiastical counterpart to the emperor; the bishop to the noble, the priest to the knight. Neither exercises a distinct authority apart from the other; but both co-exist, and govern collaterally in one spiritual polity.[1]

Let this idea of a Holy Empire—the term first appears under Frederic I.—be once realised, and it will be seen how inadequate are the modern terms, Church and State, to express the relations of the two collateral authorities in the society of the twelfth century. Nevertheless, with a caution against their misuse, the terms may be conveniently retained, to designate the spiritual and temporal sides respectively of the Holy Empire. The idea of such a state, however, was not one of sudden growth.

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[1] See the excellent ch. vii. in BRYCE's *Holy Roman Empire*, on the 'Theory of the Mediaeval Empire.'

PART II.

Men had unconsciously drifted towards it by the circumstances of the preceding times; it already existed at the beginning of the Hildebrandian era; it was gradually expanded in the time from Clement II. to Boniface VIII.

(2) *The idea in the time of Gregory VII.* A.D. 1073–1085

To Gregory VII. it presented itself in the form of a revived Jewish theocracy. As in the Jewish theocracy of old, spiritual and political authority were united under the joint government of a priest and military leader, so the spiritual and temporal powers were to be united on terms of equality in the new theocracy; and as Joshua and Eleazar were the two heads of the Israelitish community, so the Pope and emperor were to be the two heads of the new monarchy. 'As God has disposed the sun and moon, lights that outshine all others, to make the beauty of this world manifest to fleshly eyes at different seasons,' so said Gregory, writing to William the Conqueror,[1] 'He has provided in the apostolic and royal dignities different offices for ruling the beings whom He has created after His own image, lest they should be drawn astray into fatal errors.' The language of Gregory frequently goes beyond this. Not content with placing the Papal power on a footing of equality with that of the emperor,

[1] Lib. vii. Ep. xxv. LABBÉ, xii. 476: 'Sicut enim ad mundi 'pulcritudinem oculis carneis diversis temporibus repraesentandam 'Solem et Lunam omnibus aliis eminentiora disposuit luminaria; 'sic ne creatura, quam sui benignitas ad imaginem suam in hoc 'mundo creaverat, in erronea et mortifera traheretur pericula, 'providit in apostolica et regia dignitate per diversa regeretur 'officia.'

Gregory occasionally claims for the Popes a pre-eminence above kings. 'Kings and princes,' he says, 'owe their power to those who, ignoring God, have by pride, plunder, perfidy, murder, and by every species of vice aspired to hold a place above their fellowmen; but the priests of Christ are the fathers and masters of kings and princes, as well as of all the faithful.'[1] Speaking of his predecessor, Zachary, he says that 'he deposed the king of the Franks (Childeric III.), and substituted Pepin in his place, absolving all the Franks from their oath of allegiance,[2] not so much for his sins, as because he was incompetent to rule.' In the Dictatus of Gregory,[3] the genuineness of which has, however, been called in question, it is said, that 'only the Pope may use the emblems of Empire; that his

[1] Lib. viii. Ep. xxi. ad Herimannum, LABBÉ, xii. 499: 'Itane 'dignitas a saecularibus etiam Deum ignorantibus inventa non 'subjicietur ei dignitati quam omnipotentis Dei providentia ad 'honorem suum invenit, mundoque misericorditer tribuit? . . . 'Quis nesciat reges et duces ab iis habuisse principium, qui Deum 'ignorantes, superbia, rapinis, perfidia, homicidiis, postremo uni-'versis paene sceleribus, mundi principe diabolo scilicet agitante, 'super pares, scilicet homines, dominari caeca cupiditate et intole-'rabili praesumptione affectaverunt? . . . Quis dubitet sacerdotes 'Christi regum et principum omniumque fidelium patres et magis-'tros censeri?'

[2] Lib. viii. Ep. xxi. ad Herimannum, LABBÉ, xii. 500: 'Zacha-'rias videlicet, regem Francorum non tam pro suis iniquita-'tibus quam eo quod tantae potestati non erat utilis, a regno 'deposuit.'

[3] The Dictatus is probably only a list of titles of letters or treatises. It may be found in Gregor. vii. Ep. lib. ii. LABBÉ, xii. 340.

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feet should be kissed by all princes; that it is lawful for him to depose emperors; that he can absolve subjects from their allegiance?' Still, even supposing it to be genuine, this language is of rare occurrence in the time of Gregory. The Papacy was as yet only struggling for equality with the Empire. It had not yet entered on its struggle for supremacy. Undoubtedly, the latter pretensions to supremacy were the legitimate consequence of the idea as then conceived; nevertheless Gregory had enough to do to assert for the Popes a dignity equal to that enjoyed by their civil representatives. Gregory was the universal bishop of the Church, the vicar of St. Peter. He was not, however, the supreme monarch of the world or the liege-lord of vassal kings.

(3) *The idea in the time of Innocent III.*

A.D. 1199–1216

The idea of the papal theocracy advanced considerably between the time of Gregory VII. and that of Innocent III. The struggle of Popes and antipopes resulted in bringing out the Popes as the rivals and equals of the emperors; and they now boldly asserted that theirs being a spiritual authority ought to take precedence of temporal authority. Innocent III. claims not only to be the representative of St. Peter, as the emperor was the representative of Augustus, but he calls himself 'in very truth the Vicar of the living God.'[1] 'To St. Peter,' he writes, 'has been entrusted not only the government of the Church, but the government of the

[1] Lib. iii. Ep. 326 ad Faventin: 'Summus Pontifex non homi-
'nis puri, sed veri Dei vere Vicarius appellatur.'

whole world.'[1] Using the same simile as his predecessor Gregory VII., he is not content with comparing the Pope and the emperor to two lights outshining all others in the sky, but he describes these lights as placed 'in the firmament of the universal Church,'[2] and asserts that 'as the moon borrows her light from the sun, so the royal authority is derived from the papal.' 'Princes have only power upon earth; priests have power in heaven; princes have only power over the body; priests have power over the soul.'[3]

(4) *The idea in the time of Boniface VIII.* A.D. 1294–1303

The claim to universal sovereignty was put forward by Boniface VIII. in its most extravagant and revolting form. No language is for him too high. 'Emperors, kings, and princes, who should impose tallages on the clergy,' he declares, 'incur thereby the sentence of excommunication.'[4] Sitting on his

[1] Lib. ii. Ep. 209 ad Patriarch. Cons.: 'Dominus Petro non 'solum universam Ecclesiam, sed totum reliquit saeculum guber- 'nandum.'

[2] Lib. i. Ep. 401, and GIES. vol. iii. § 54, p. 79: 'Sicut univer- 'sitatis conditor Deus duo magna luminaria in firmamento coeli 'constituit, luminare majus, ut praeesset diei, et luminare minus, 'ut nocti praeesset; sic ad firmamentum universalis Ecclesiae, 'quae caeli nomine nuncupatur, duas magnas instituit dignitates, 'majorem, quae quasi diebus animabus praeesset, et minorem, 'quae quasi noctibus praeesset corporibus; quae sunt pontificalis 'auctoritas et regalis potestas. Porro sicut luna lumen suum a 'sole sortitur, quae re vera minor est illo quantitate simul et quali- 'tate, situ pariter et effectu; sic regalis potestas ab auctoritate 'pontificali suae sortitur dignitatis splendorem,' etc.

[3] Registr. de negotio Imp. Ep. 18: 'Principibus datur potestas 'in terris, sacerdotibus autem potestas tribuitur et in coelis: illis 'solummodo super corpora, istis etiam super animas.'

[4] See the Bull Clericis laicos in RYMER-CLARKE'S *Foedera*, i. ii. 836.

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throne, armed and girt with a sword, with the diadem of Constantine on his head, and his right hand on the handle of his sword, Boniface proudly inquired of the ambassadors of the German king, Albert I.: 'Am not I the high priest? Is not that the chair of St. Peter? Cannot I protect the rights of the Empire? I am Caesar! I am emperor!'[1]

When confirming Albert's election, he explained his predecessor's simile of two great lights in a new sense, declaring 'the sun to be the emperor, because it is the emperor's duty to illuminate all, and to defend the spiritual power;' but the Pope himself to be above both sun and moon, as 'The Vicar of Christ, and to possess the right, if he should so please, of transferring the Empire from the Germans to whomsoever he might choose.' In the bull Unam Sanctam, he even declared 'it necessary for salvation for every human being to be subject to the Pope's authority.'[2] Thus culminated in Boniface that idea of the papal theocracy, which supplies the clue to the labyrinth of complications between the civil and religious powers of his day, and of the succeeding period.

The causes of so absolute a confusion of two

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[1] Francis Pipinus Chron. iii. c. 47, in MURAT. ix. 745: 'Sedens 'in solio armatus et cinctus ensem, habensque in capite Constan- 'tini diadema, stricto dextera capulo ensis accincti, ait: Numquid 'ego summus sum Pontifex? Nonne ista est cathedra Petri? 'Nonne possum Imperii jura tutari? Ego sum Caesar, ego sum 'Imperator: eosque talibus verbis dimisit.'

[2] See Chap. IX., p. 275, note.

distinct provinces of life must be sought in the circumstances of the preceding epoch. The breaking up of society which had come over Europe, consequent on the breaking up of the Western Empire, had been going on from the seventh to the eleventh centuries.[1] The Franks had no sooner risen to power, than a fresh dynasty supplanted the Merovingians. An empire created by the extraordinary ability of the great Charles, was divided and redivided under his successors. The Imperial dignity, after being held by the Frankish Carolingians for eighty-eight years, was contended for by rival Italians, and then recovered by the Saxon Otto. To the east of the Empire, Magyars, Czechs, and Obotrites were making encroachments: Normans on the seaboards. Private wars and lawlessness were everywhere rife; there was no security for life or property except in organisation. Civil security could only be ensured by drawing tighter the bond of outward union; hence came the feudal system. Religious influence could only be exerted by strengthening the bonds of ecclesiastical organisation; hence arose the feudalism of the Mediaeval Papacy.

Naturally enough, the ecclesiastical organisation, which society sought to set up, was that which had been in vogue at Rome, and was itself based on the civil organisation of imperial Rome. Rome, no longer the political capital, had become the religious

[1] See the excellent ch. iii. on the barbarian invasions in BRYCE's *Holy Roman Empire.*

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capital of Western Europe, commanding reverence by her name, when her civil power had long since waned; and of that civil power no small part had passed over to the Papacy. Men who were suffering severely from the miseries of anarchy, did not stop to enquire on what foundations the ecclesiastical system of Rome was based; but, on the contrary, hailed any and every approach to system as an advance to better things. To the Pope they therefore professed allegiance as readily as they gave allegiance to the emperor. For both the Pope and the emperor were regarded as promoters of the same end under different forms, the one of ecclesiastical, the other of civil organisation. Under the shelter of the Pope they felt themselves sure of religious sympathy, under that of the emperor of some degree of civil security. What men yearned for after centuries of anarchy, was some fixed basis on which to build up an organised society; and they found what they wanted in two institutions—the Papacy and the Empire.

(2) *Church and State had been confused in preceding era.*

Other circumstances, too, in the preceding epoch had tended to foster confusion between things civil and things ecclesiastical. For the most part the laity had little time or inclination for thinking of what was taking place in the world about them, and without thought it would have been impossible to distinguish politics from religion. The clergy owned property, for which they had to discharge the same services as laymen, taking part in the wars, either themselves or by deputy, and contributing to the treasury of the community. They were the secret

councillors of kings, directing the affairs of state, as well as those of the Church. They sat in the public assemblies; they crowned kings and emperors. In their conduct there was little to distinguish them from the laity; in their privileges, influence, and learning there was much. The participation of the clergy in the administration of politics seemed indispensable.[1] They were a power in the state collateral with princes; in morality, culture, and beneficent use of their position, greatly the superiors of princes. Hence, when the struggle arose between the religious and civil heads of the Empire, and men were called upon to decide for one or the other, all the supporters of morality, and learning, and culture sided with the Popes against the emperors.

(3) *General confusion in people's minds.*

In this fact may be seen another reason of the success which attended the papal policy. Gregory in proclaiming the idea of a papal theocracy, Innocent and Boniface in developing that idea, were not acting, as they have sometimes been represented, simply on private motives or from personal ambition. In the case of Boniface such motives may have existed together with others; but such motives alone would never have achieved a victory against emperors and kings strong in the affections of their subjects. In fact, the idea of the papal theocracy was one which had generally taken possession of men's minds. It was espoused by all the most thoughtful, pious, and learned men. It was an idea

[1] See HALLAM's *Middle Ages*, vol. iii. pt. iii. ch. viii. p. 4 (small edition).

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deep-rooted in the spirit of the age, which, when once expressed, commended itself to the general consciousness; and the success of the Popes in their pretensions was mainly due to the fact that what they claimed others were prepared to grant. Not as aggressors doing violence to the common sense of their contemporaries do those Popes who most clearly enunciated this view deserve to be considered, but rather as the champions of progress, helping to bring to birth the ideas already conceived in the minds of their fellow-Christians.

C. *Consequences of the idea.*

Unconsciously, but none the less certainly, this idea of the papal theocracy gave a colouring to both the political and religious aspects of society; spreading a veil of religious sanctity over the state, attaching a civil importance to the Church, and even affecting the points on which the two came into collision.

(1) *On the State.* (*a*) *Emperor.*

The emperor, the head of the state, was invested with a religious dignity, as being the temporal head of the theocratical society—the Holy Empire. He was elected by a mixed body of archbishops and princes.[1] He was admitted to his dignity by the religious ceremony of consecration; receiving—besides other symbols of temporal power, the sword, globe, and sceptre—a ring to symbolise his spiritual faith. At the same time he was ordained a subdeacon, assisted the Pope in celebrating mass, and partook of the Communion in both kinds. He was styled 'Head of Christendom,' 'Temporal Head of

[1] See the note on Imperial Elections, Chap. XII. infra.

the Faithful,' 'Advocate of the Christian Church,' 'Protector of the Catholic Faith.'[1]

(b) *Knighthood.*

The same thing was done with regard to knighthood. The primary duty of a knight was considered to be the defence of God's law against the infidels. His investiture was regarded as analogous to the ordination of a priest, and was surrounded with religious ceremonies. 'The candidate passed nights in prayer among priests in church; he received the sacraments; he entered into a bath, and was clad with a robe of white; his sword was solemnly blessed;' and whenever afterwards he was present at the mass, he held the point of his sword before him while the Gospel was being read, to signify his readiness to support it.[2]

(c) *War.*

Moreover, a religious colouring was extended to wars that were undertaken with the sanction of the Pope, or, as it was expressed, 'wars undertaken in the cause of the Church.' The case of the

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[1] The above paragraph is chiefly taken from BRYCE'S *Holy Roman Empire*, vii. 121. See also *Liber Ceremonialis Romanus*, lib. i. sect. 5; also the Coronatio Romana of Henry VII. in PERTZ; MURATORI'S Dissertation in vol. i. *Antiquitates Italiae*; GOLDAST, *Collection of Imperial Constitutions*; MOSER, *Römische Kaiser*; SISMONDI, iv. 290; RAUMER, v. 62. DANTE ALIGHIERI, *De Monarchia*, lib. iii., endeavours to prove: 'Monarcham Romanum de jure esse Monarcham mundi, et immediate a Deo dependere, non ab aliquo Dei vicario vel ministro.' Henry VII. in a law issued at Pisa in 1312 (*Extravagantes*, tit. i.) speaks of: 'Divina praecepta, quibus jubetur, quod omnis anima Romanorum Principi sit subjecta.'

[2] HALLAM'S *Middle Ages*, vol. iii. pt. ii. ch. ix. p. 396 (small edition); DU CANGE, Miles, and twenty second Dissertation on Joinville.

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Norman conquests in Italy approved by Leo IX., of the subsequent confirmation of those conquests, first by Nicolas II., afterwards by Gregory VII., and again by Hadrian IV., have been already referred to;[1] and it is well known how Alexander II. sanctioned the conquest of England. But above all, those wars bear a peculiarly religious character, which were carried on with a view to recovering Jerusalem from the Mahommedans, and went by the name of the Crusades.[2] As the power of the Popes increased, crusades became more frequent; and soon this term, instead of being confined to wars with the Unbelievers, was applied indiscriminately to all wars undertaken by the Pope's desire; such wars being thus invested with the sanction of religion. The capture of Constantinople in the year 1204 was called a crusade. Innocent III. invited Philip Augustus to undertake a crusade against King John.[3] A crusade was undertaken at the Pope's bidding by Charles of Anjou against the gallant Manfred, and Boniface gratified his private revenge by a crusade against the Colonnas.[4]

*(d) Property.*

Moreover, the sanction of religion also applied to the possession of property. Property in the hands of the Church or of her dependents was secured by the fear of that most terrible of all punishments, excommunication—a punishment, not, as it has been frequently represented, an overstraining

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[1] See Chaps. VII. p. 193, and VIII., p. 231.

[2] They are described in Chap. XI.

[3] Chap. IX. p. 251.

[4] *Ibid.* p. 271.

of ecclesiastical authority, against which the laity were powerless, but one regarded by them as the natural, because the only weapon of ecclesiastical warfare.[1] This penalty had been denounced in several capitularies of Charles the Great against incendiaries or deserters, and Charles the Bald had procured similar censures against his revolted vassals; but now the whole property of the Church or of those holding under the Church was protected by this safeguard. Hence it became a customary fraud for lay proprietors to grant estates to the Church, which they received back by way of fief and release; and hence the idea dawned on the minds of the Popes of concentrating in their own hands all the kingdoms of Europe, Germany, Sicily, England, Castile, France, and granting them out as fiefs to kings—a truly magnificent dream of universal monarchy under one ecclesiastical head, which, could it have been realised, might have been attended with the most important consequences, but which shattered on the rocks on which all irresponsible governments must, sooner or later, be wrecked—the caprice and incapacity of the head, the insolence, venality, and avarice of his subordinates.

(2) *Effects on the Church.* (*a*) *The Pope.*

At the same time that the idea of a Holy Empire threw a veil of sanctity over the Emperor, over Knighthood, over War, and Property, it had also affected the Church and the Clergy, imparting to them a secular character, by bringing them into connection

[1] HALLAM's *Middle Ages*, vol. ii. pt. i. ch. vii. p. 170 (small edition).

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with the world. The Pope was not only the head of the Church; he was also the religious head of the Empire; and, as might have been expected, his religious character was thereby more or less impaired; his power was not confined to spiritual matters; his administration was conformed to the practice of his civil rival. When the emperor was styled 'Lord of the World,' and called 'a living law upon earth;' when a bishop could say that 'to the emperor belongs the protection of the whole world;' and an archbishop addressing him on behalf of the assembled magnates of Lombardy could say: 'Do and ordain whatsoever thou wilt; thy will is law;'[1] it might be expected that similar language would be used of the Pope; that similar power would be allowed to him. Thus the outward state of the Pope and his own claims to power must not be taken for signs of an aggressive policy. They were a simple vindication for him of a power and an authority equal to that which was claimed for the emperor; and they were to a great extent the result of the doctrines current since the revival of the study of the Civil Law respecting the imperial dignity. The Pope's character of bishop and patriarch was merged in that of an ecclesiastical sovereign. He claimed the right of 'deposing and instituting bishops at will.'[2] He claimed for his

[1] See BRYCE's *Holy Roman Empire*, xi. 191.

[2] THOM. AQ. *Lent.* lib. ii. dist. 44, qu. 2, in fine: 'Et sic se 'habet potestas Dei ad omnem potestatem creatam; sic etiam se 'habet potestas Imperatoris ad potestatem proconsulis: sic etiam 'se habet potestas Papae ad omnem spiritualem potestatem in

legates the privilege of 'taking precedence of all clergy, even those of a higher order.' He claimed the sole power of 'dividing bishoprics, or of uniting several in one;' that of 'framing new laws;' that of 'ordaining clergy to any church;' that of 'translating bishops;' of 'convening general councils;' of 'pronouncing a final sentence, from which there could be no appeal.' He was 'the fountain of Catholicity.'[1] He too, as we have seen, claimed to

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'Ecclesia: quia ab ipso Papa gradus dignitatum diversi in Ecclesia et disponuntur et ordinantur: unde ejus potestas est quodam Ecclesiae fundamentum.'

[1] See the Dictatus of Gregory VII. at the end of lib. ii. Ep. 55, LABBÉ, xii. 340: '(1) Quod Romana Ecclesia a solo Domino sit fundata. (2) Quod solus Romanus Pontifex jure dicatur universalis. (3) Quod ille solus possit deponere Episcopos vel reconciliare. (4) Quod legatus ejus omnibus Episcopis praesit in concilio etiam inferioris gradus, et adversus eos sententiam depositionis possit dare. (5) Quod absentes Papa possit deponere. (6) Quod cum excommunicatis ab illo, inter caetera, nec in eadem domo debemus manere. (7) Quod illi soli licet pro temporis necessitate novas leges condere, novas plebes congregare, de canonica abbatium facere et econtra, divitem episcopatum dividere, et inopes unire. (8) Quod solus possit uti imperialibus insigniis. (9) Quod solus Papae pedes omnes principes deosculentur. (10) Quod illius solius nomen in ecclesiis recitatur. (11) Quod unicum est nomen in mundo. (12) Quod illi liceat Imperatores deponere. (13) Quod illi liceat de sede ad sedem necessitate cogente Episcopos transmutare. (14) Quod de omni ecclesia, quacumque voluerit, clericum valeat ordinare. (15) Quod ab illo ordinatus alii ecclesiae praeesse potest, sed non militare, et quod ab aliquo Episcopo non debet superiorem gradum accipere. (16) Quod nulla synodus absque praecepto ejus debet generalis vocari. (17) Quod nullum capitulum, nullusque liber canonicus habeatur absque illius auctoritate. (18) Quod sententia illius a nullo debeat retractari, et ipse omnium solus retractare possit. (19) Quod a nemine ipse

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be above kings, and to be the supreme feudal lord of Christendom. In most of these claims the secularising influence of the state may be traced, the Popes being anxious to be in all respects the ecclesiastical counterparts of the emperors; but, unfortunately, these claims resulted in a system by which the other clergy were greatly depressed.

*(b) Metropolitans.*

The great metropolitans were the first to suffer. By means of an oath of vassalage they were brought into a position analogous to that of the great princes of the Empire. The earliest instance of such an oath had been met with in the time of Gregory II. in 723; Boniface then swearing 'to abide in the unity of the Catholic faith; to agree with nothing contrary to the unity of the Catholic Church, but in every way to maintain his faith pure, and his co-operation constantly for St. Peter, and for the benefit of his Church, on which was bestowed by God the power to bind and to loose.'[1] That instance formed a precedent for subsequent times, and when the idea

'judicari debeat. (20) Quod nullus audeat condemnare apostolicam sedem appellantem. (21) Quod majores causae cujuscumque ecclesiae ad eam referri debeant. (22) Quod Romana ecclesia nunquam erravit, nec in perpetuum, Scriptura testante, errabit. (23) Quod Romanus Pontifex si canonice fuerit ordinatus, meritis beati Petri indubitanter efficitur sanctus, testante s. Ennodio Papiensi Episcopo, et multis sanctis Patribus faventibus, sicut in decretis beati Symmachi P. continetur. (24) Quod illius praecepto et licentia subjectis liceat accusare. (25) Quod absque synodali conventu possit Episcopos deponere et reconciliare. (26) Quod catholicus non habeatur, qui non concordat Romanae Ecclesiae. (27) Quod a fidelitate iniquorum subjectos potest absolvere.'

[1] See Chap. II. p. 43.

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of the Holy Empire had taken hold on men's minds, an oath was as readily taken to the Pope as to the emperor. Wibert, Archbishop of Ravenna, at his consecration in the year 1073 swore 'that he would be true to Pope Alexander [II.] and his successors who should be chosen by the better Cardinals.'[1] The Patriarch of Aquileia likewise took an oath that 'he would be true to Pope Gregory [VII.], and his successors who should be chosen by the better Cardinals;' 'that he would neither be concerned by word or deed in causing the Pope to lose life, or limb, or office; that he would appear at every synod to which the Pope might summon him; and, saving his order, would assist in guarding and defending the Papacy and the regalia; that he would hold aloof from those whom the Pope had excommunicated; and that when called upon to do so, he would faithfully uphold the Church with the secular arm.'[2]

A.D. 1073-1079

[1] Bonizonis, Lib. ad Amicum in Oefelii, *Rer. Boic. Script.* ii. 810: 'Se fidelem esse Papae Alexandro ejusque successoribus, 'qui per meliores essent electi Cardinales.'

[2] The oath in Concil. Roman. vi. an. 1079, Labbé, xii. 631: 'Ab hac hora et inantea fidelis ero beato Petro et Papae Gre-'gorio, suisque successoribus, qui per meliores Cardinales intra-'verint. Non ergo in consilio, neque in facto, ut vitam, aut 'membra, aut papatum perdant, aut capti sint mala captione. Ad 'synodum, ad quam me vocabunt, vel per se, vel per suos nuncios, 'vel per suas literas veniam, et canonice obediam, aut, si non 'potero, legatos meos mittam. Papatum Romanum et regalia 'sancti Petri adjutor ero ad retinendum et defendendum, salvo 'meo ordine. Consilium vero quod mihi crediderint per se, aut 'per nuncios suos, sive per literas, nulli pandam me sciente ad 'eorum damnum. Legatum Romanum eundo et redeundo honori-'fice tractabo, et in necessitatibus suis adjuvabo. His quos nomi-'natim excommunicaverint scienter non communicabo: Roma-

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From the time of Gregory VII. this oath was required of all metropolitans, and soon the Archbishops of Toledo and Milan were included among their number; the former in the eleventh century, the latter in the twelfth, though not till after a prolonged resistance.

*(c) Bishops.*

Nor were the inferior Bishops exempt from the spiritual feudalism of the Popes. To make sure of the allegiance of all the officers in the ecclesiastical army, the Popes had, as early as 1080 A.D., begun to confirm episcopal elections.[1] In doing this they were aided by the frequent occurrence of disputed elections. From confirming an election, it was an easy transition to nominating a bishop; and in the year 1093 for the first time there occurs a case of nomination; the Bishop of Amatus in his will styling himself bishop 'by the grace of God and the favour of the Apostolic see.'[2] After the beginning of the twelfth century the oath of allegiance was taken by all bishops; and as the Pope advanced from being the Vicar of St. Peter to being the Vicar of God, his fellow bishops were degraded to the rank of mere vicars of the Pope.[3] Already in the middle of the twelfth century their depression was complete, and at the second Lateran Council, in the year 1139, Innocent II. declared in his opening speech 'that

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'nam ecclesiam per saecularem militiam fideliter adjuvabo, cum 'invitatus fuero. Haec omnia observabo; nisi quantum sua 'certa licentia remanserit.'

[1] Concil. Roman. vii. an. 1080, LABBÉ, xii. 637.

[2] UGHELLI, *Italia Sacra*, vii. 535.

[3] GIES. vol. iii. § 61, p. 160.

Rome is the head of the world, and as in feudal relations, so in ecclesiastical, the highest dignities can only be undertaken by license from the Pope of Rome, nor can they be lawfully held without his permission.'[1] The theory of Innocent III. would almost dispense with bishops. It considers that bishops and other ministers have been summoned to take part in the care of the Church only because 'the Popes are not able to exercise their duties everywhere in person;'[2] and the same theory is advocated by St. Thomas Aquinas in the words: 'The Pope hath the plenitude of priestly power, as a king has of secular power; but bishops are appointed to share his cares, as judges are appointed by kings over different provinces.'[3]

On the other hand this depression of the bishops was not unattended by secular advantages. What they lost in independence, they gained in influence. The bishop was no longer an individual standing

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[1] LABBÉ, xii. 1507 ad Concil. Later. ii. an. 1139: 'Nostis, quia 'Roma caput est mundi, et quia a Romani Pontificis licentia 'ecclesiastici honoris celsitudo quasi feudalis juris consuetudine 'suscipitur, et sine ejus permissione legaliter non tenetur.'

[2] Innocent III. Ep. 495 and 496: 'Potestatis apostolicae 'plenitudo longe lateque diffusa, licet ubique praesens potentia- 'liter habeatur, tamen quia ea, quae ad tantum officium pertinent, 'per se, prout singulis expediret, non valet praesentialiter exercere, 'tam vos quam alios ministros Ecclesiarum in partem solicitudinis 'advocavit, ut sic tanti onus officii per subsidiarias actiones com- 'modius supportetur.'

[3] THOM. AQ. *Lent.* lib. iv. dist. 20, art. 4, solut. 3: 'Papa 'habet plenitudinem pontificalis potestatis, quasi Rex in regno: 'sed Episcopi assumuntur in partem solicitudinis, quasi judices 'singulis civitatibus praepositi.'

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by himself, whose decision might be questioned and overruled by the Pope, as policy swayed him now in one direction, and now in another. He spoke with all the authority of one who acted as deputy for a mighty sovereign, who belonged to a powerful system, and felt sure of support unless he forfeited it through an excess of folly. He was present in the national assemblies, often a minister, frequently a secret councillor of a prince; he was always a necessary ally, frequently a formidable one; and that not only as formerly because of his own intellectual superiority, nor yet because of his knowledge of law, but principally because he was connected with the clergy of every district, and could thus gain admittance to every country or place; in short, because he belonged to a powerful fraternity, spread over Europe, knowing no national distinctions, and closely held together by the will of one who commanded an obedience far more implicit than any civil monarch in Christendom.

(3) *Effects on the relations of Church and State.*

Whilst the idea of a Holy Empire was influencing both the civil and ecclesiastical institutions of society, it did not fail to affect the mutual relations of the two. Though it may seem paradoxical to say so, that idea, in itself so grand and inspiring, could only be realised as long as it was imperfect: two rival authorities intrenching on each other's province could only exist side by side when the reins of all authority hung loosely. But when society became more settled and better regulated, one of the two rival powers must stand, and the other must fall. The idea itself was clung to with extreme

tenacity for more than two centuries, until men had come to perceive that the Popes, by encroaching on civil matters, were undermining the foundations of all settled political government. When Philip of France wrote to Boniface VIII., 'Render to Caesar the things that are Caesar's, and to God the things that are God's,' he exposed the untenableness of the idea of the ecclesiastical state; but before that blow was dealt it had given rise to many an internal struggle.

A.D. 1296

(a) *Antipopes and rival emperors.*

Such was that struggle in which the two heads of the Holy Empire, the Pope and the emperor, were brought into collision with each other. The religious character of the emperor gave him a religious sanction for interfering in matters connected with the Papacy, and thus Popes in the imperial interest were raised up to dispute the See of Rome with Popes in the Roman interest. On the other hand, the Pope, owing to his relations to the world, had reasonable grounds for interfering in the affairs of the Empire, and on more than one occasion set up a rival emperor, when his claims to authority had been denied by those in power.

For more than a century—from the decree of Nicolas II. to the decree of Alexander III.—the Papacy was disturbed by antipopes; Honorius II., Clement III., Gregory VIII., Victor IV., Paschal III. being set up and supported by the emperors Henry IV., Henry V., and Frederic Barbarossa. For nearly two centuries—from the time of Henry IV. to the fall of the House of Hohenstaufen—the Empire was distracted by rival emperors,

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Rudolph of Swabia, Conrad and Henry, Henry Raspe, William of Holland—emperors whom the Popes had approved, and whom they had put forward in their own interests. The antipopes and the rival emperors were counterparts to each other. Both were a consequence which might have been easily anticipated from the attempt to realise the idea of the Holy Empire.[1]

(*b*) *Investitures.*

Passing from the two heads to those next in rank, another struggle is encountered, arising from the divided allegiance of the bishops and nobles. On the one hand, bishops were no longer independent spiritual functionaries, since the Popes had been carrying out in the Church the institutions of the State. On the other, the nobles felt that they had duties to the Church as well as duties to their sovereign. Nothing could be more unlike the independent bishops of earlier centuries than were their doubly dependent successors of the eleventh and twelfth centuries, dependent on the Pope for liberty to exercise their spiritual functions, dependent on temporal sovereigns for permission to receive the revenues of their sees. In their parade and magnificence they were quite the equals, frequently the rivals, of their lay compeers; in their lust for power, their ambition, their intrigues, their intermeddling in secular affairs, their rapacity, they were chiefly distinguished by surpassing other nobles. And to crown all, they owed allegiance to the Pope at the same time that they owed allegiance to the emperor.

[1] See Chap. VIII.

Dealing with prelates so worldly, so contentious, so sharp-witted, kings and emperors might well feel it necessary to be on their guard; they might well hesitate to invest with the temporalities of a see any person who should happen to be elected without having previously made trial of his fidelity; they might well demand that a bishop elect should take the oath of fealty, and do homage like the lay barons of their kingdoms. But not so thought the Pope. He would have an undivided allegiance from his liegemen. No homage or fealty should they render to any but himself. Least of all would he allow the ecclesiastical power to be degraded by any sign of subservience to the civil power. Thus arose the dispute on investiture.[1] It was another instance of a struggle brought on by attempting to realise the idea of the Holy Empire. Within forty years of the death of Gregory VII. it had ended, concluded by a compromise. A.D. 1122 More important subjects occupied the minds of later Popes; for had it been revived in the time of Innocent III., it would probably have had a very different termination.

(c) *Rival jurisdiction.*

On yet another point the royal and papal prerogatives were involved in a collision owing to their very nearness; but the collision was brief, the struggle was confined to one country, and the issue was too decidedly in favour of the Popes to lead any subsequent monarch to seek to revive the contest. In the lapse of centuries the ecclesiastical courts, which had been originally founded to avoid litigation

[1] See Chap. XII.

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A.D. 1066

'before the unbelievers,' had assumed a fixed form, and acquired a legal sanction. Into England, which in this respect was behind the rest of Europe, they had been first introduced by William the Conqueror, and soon began to encroach on the province of the civil courts, particularly after their jurisdiction had been extended by the revived study of the civil law. These encroachments led to the memorable struggle between King Henry II. and Thomas à Becket, Archbishop of Canterbury—Henry the champion of the civil courts, Becket the upholder of ecclesiastical jurisdiction. The barbarous assassination of Becket threw the whole weight of popular sympathy into the scale of the Church, and secured the triumph of the Papal party. Hence, as the result of the struggle, Becket was canonised, and Henry had to undergo a disgraceful penance at the tomb of his adversary.[1]

29 Dec. 1170

Thus by many a struggle—at one time on the domain of the Papacy, at another on that of the Empire, at one time respecting investitures, at another respecting jurisdiction—was proved to a world unwilling to admit it, the impracticability of realising the idea of the Holy Empire. Grand as was the idea, able as were its adherents, zealous as were its supporters, it was tried in the balance of history and found wanting. It shattered on the maxim, 'Render unto Caesar the things that are Caesar's, and unto God the things that are God's.' But long after these words had been quoted against it by an ambitious and stubborn opponent, like a

[1] See Chap. XII.

great oak dying away and decaying, which still lasts for ages, a mere skeleton of former greatness, the relics of that idea continued to survive, destitute of power, but strong in the affections of men. In one form or other they have affected the religious legislation of most countries; and in this way have lingered on to our time. Yet the beginning of the present century has seen the original tree swept away by the storm of reaction, obviously suggesting the inquiry, 'Will its later offshoots be able to bear the violence of the storm? Will they be able to survive until the period of reaction is over? Or is the Church destined to enter upon a new phase of existence, such as it has never yet known since Christianity first reached Europe? The work of Constantine may be indeed undone—but will the doctrine of the Ὁμοούσιον survive the change?

# CHAPTER XI.

## THE CRUSADES.

(1046—1303.)

*Deus! venerunt gentes in hereditatem tuam: polluerunt templum sanctum tuum; posuerunt Jerusalem in pomorum custodiam.*—Ps. LXVIII.[1]

PART II.

A. *Crusades in general.* (1) *Idea of a Crusade.*

IN the crusades was realised once for all, as never afterwards, that ideal of a Christian commonwealth, which forms the centre of the political and religious life of the Middle Ages. United Christendom, forgetting her internal differences and everlasting feuds, stood arrayed in arms against the enemies of the Cross; she drew the sword, not to bathe it in a brother's blood, but to defend her faith; and she took the field, at the bidding of an ecclesiastic, against an external foe. The dream of universal monarchy, which for nearly a century before had from time to time risen before the minds of the more distinguished Popes, suggesting to them the idea of a campaign against all unbelievers, was now about to be carried into execution. The eleventh century saw the first attempt made. The two next centuries saw the same attempt frequently repeated, but Jerusalem was not permanently wrested

[1] In Pope Urban's speech, an. 1095, LABBÉ, xii. 839.

from the Turks, nor was Christendom united, except to be again divided.

A.D.

Already to the mind of Sylvester II. the conception of the whole of the Christian world taking the field against the Mohammedans had been present. He had exhorted the soldiers of Christ, if indeed the Complaint of the desolated Jerusalem is his, to bestir themselves, to bear the banner and to fight, or if unable to do so by arms, at least to help others towards doing so by advice and donations.[1] Seventy years later, in the mind of Gregory VII., the idea 1073
had assumed a more definite shape. Struck with compassion at the sad state of Palestine, which had lately been overrun by the Turks, and longing to recover the holy places from the yoke of the infidels, and to reunite the Eastern and the Western Churches in one community presided over by himself, Gregory 1074
had responded to the invitation which Oriental Christians addressed to him. He had secured the services of 50,000 men, prepared to march to the Holy Sepulchre under his direction.[2] At this moment his

[1] Enitere ergo miles Christo! Esto signifer et compugnator et 'quod armis nequis, consilii et opum auxilio subveni': quoted by NEAND. vi. 140.

[2] Gregor. VII. Ep. ii. 31, LABBÉ, xii. 322: 'Praeterea indico 'tuae magnitudini [the Emperor Henry IV.] quia Christiani, ex 'partibus ultramarinis, quorum maxima pars a Paganis inaudita 'clade destruitur, et more pecudum quotidie occiditur . . . ad 'me humiliter miserunt, nimia compulsi miseria implorantes, ut 'modis quibus possem eisdem fratribus nostris succurrerim. Ego 'autem nimio dolore tactus . . . procuravi Christianos quosque 'ad hoc provocare. . . . Quam admonitionem Italici et ultramontani, Deo inspirante . . . libenter acceperunt, et jam ultra quin-'quaginta millia ad hoc se praeparant, ut si me possunt in expe-

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attention was diverted elsewhere by his disputes with Henry, and thus the plan which he had conceived was left for his successors to execute. Nor were his successors indifferent to these schemes. Victor III., some ten years later, issued an invitation for a crusade to be undertaken, under the banner of St. Peter, against the Saracens in North Africa, promising plenary indulgence to all who should bear a part in it;[1] and at length Urban II., favoured by a variety of circumstances, and the fiery energy of the hermit Peter, actually succeeded in arming Europe for the conflict.

(2) *Causes of Crusades.* (*a*) *A corollary from the Holy Empire.*

A holy war, undertaken in the service of the Cross against the infidels, was a natural corollary growing out of the idea of the Holy Empire. It would have been strange had this corollary not been seen. For the Empire, with its two aspects, one religious, the other political, had also religious as well as political enemies, with both of whom it had to do battle. At the command of the emperor, the field was taken against a political foe; at the command of the Pope, against a spiritual one. Nay, more spiritual and temporal weapons were used indiscriminately. The spiritual weapon of excommunication was used against political offenders. And, what more natural than that the temporal weapon, the

'ditione pro duce ac pontifice habere, armata manu contra inimi-
'cos Dei volunt insurgere.'

[1] Vita Victoris III. LABBÉ, xii. 703: 'Exercitum congregans,
'illisque vexillum beati Petri apostoli tradens, sub remissione
'peccatorum omnium contra infideles impiosque in Africam diri-
'git. Christo itaque duce ingressi Africam centum millia pugna-
'torum occiderunt, urbe illorum praecipua capta et occisa.'

sword, should be used against spiritual enemies? The same feeling which led the Popes to excommunicate those who set themselves against the sovereigns recognised and approved by themselves, also led temporal sovereigns to wage war against the enemies of the Popes. It would have led the emperors to do so also, and indeed it once actually did so, had not the emperors been constantly embroiled with Rome.

*(b) Union of military spirit with religion.*

Moreover, the creed of Mediaeval Christendom had so fused the military spirit with the religion of Europe—the ferocity, love of adventure, licentiousness, and contempt of life of the knight, with the fervent faith, the strict obedience, the prayerfulness, and the humility of the monk—that a Christian soldier using temporal arms to obtain a spiritual reward became the true type of knighthood, which naturally commended itself to the minds of that age. When, therefore, to the knights of Europe the invitation went forth, bidding them come to the deliverance of Jerusalem, to rescue their brother Christians in the East, it found a ready response among men already too martially inclined. All rejoiced to take part in a war, and here was a war sanctioned by the Church.

*(c) Latent heroism of the age.*

Those were indeed the heroic ages of European history, not only because they were ages in which rudeness, valour, endurance, self-sacrifice, development of strength, displays of subtlety and craft, reigned supreme; nor yet because in them, as in other heroic ages, individuals were seen to tower over the heads of the common herd of soldiers, a Godfrey of Boulogne, a Tancred of Hauteville, a Raymond of Toulouse, whilst the mass of the crusading army was

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entirely ignored, allowed either to fight bravely, or to die in suffering with equal indifference; but they were the heroic ages of European society, because they occupy in the history of the Western nations the same position which the heroic ages occupy in the history of Greece. They were the intermediate ages between the unsettledness of barbarian life and settled forms of civilised society; between a time of perpetual private war and a state of social compact; because in them a spirit of order was being first infused by a few chieftains into the lawlessness of wild nations, and the recklessness of the many was being relieved by the exploits of the few; because in them the cruelties and asperities of war were softened and redeemed by the chivalry of the combatants. The barons of the eleventh and twelfth centuries were not unlike the heroes of Greek history. A summons was all that was needed, and they were prepared to besiege another Troy. Hence, when the summons came, calling them to the rescue of Jerusalem, they obeyed it as readily, nay, more readily than the Greeks had obeyed the call of Menelaus: and their exploits against the Turks were not less illustrious than those of the Greeks had been against the Dardanians.

*(d) Gross views of missionary duty.*

To a rude and grossly sensual people, the duty of missionary work is apt to appear to be identical with the duty of using force as a means of propagandism, and of punishing those who refuse to be converted. In the eleventh century, however, the business of spreading the faith was still keenly felt to be a duty. The three preceding centuries had been rich in mis-

sionary labours, to which the conversion of Europe was itself due: the converted northern nations burned to send the faith to other nations, and to roll back upon Asia the tide of faith which had originally come from thence. But the Christians of Europe were as yet novices in Christianity. Gross and sensual themselves, they apprehended Christianity in a gross and sensual shape; they had not yet learnt to distinguish between the sphere of things which are of this world and things which are not of this world, between the claims of Caesar and the claims of God. To them it seemed far easier to convert the pagans by raising an army, and spreading Christianity at the edge of the sword, as had been already done in Sweden and Iceland, rather than by sending forth missionaries to labour hard and long, and to see but little result. Besides, it was doubtful whether proselytising clergy would have been at all tolerated by the Saracens, and would not have suffered the penalty of immediate death as soon as their designs became known. The zeal for extending the boundaries of Christendom naturally took a course congenial with the spirit of the age; and, instead of sending forth missionaries supported by contributions from home, the heroic ages of Europe sent forth crusaders to convert the infidels by carnal weapons, and to spread the religion of peace by resorting to the appliances of the sword.

(e) *Relief from penances.*

Besides, there were at this time many knights of high and low degree, oppressed with the burden of penances, which the constant repetition of sins, some of the most grievous kinds, had incurred. The guilt of adultery was multiplied by daily repetition,

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that of homicide was still more frequent, every one's hand being against his neighbour's; and no barrier was effectual against the licentiousness of morals. A graduated scale of penances, framed with regard to the peculiar wildness of the people, and numbering each act separately, without looking to the spirit of the doer, was rigidly enforced. A modest sinner might easily incur a debt of 300 years' penance, and although commutations or indulgences were allowed, a year of penance being appreciated at thirty shillings, still a debt of 300 years or 450*l.* was enough to impoverish a plentiful fortune. When the offer came of plenary indulgence to all who should enlist under the banner of the Cross, the robber, the incendiary, the homicide arose by thousands to redeem their souls. The crusades afforded a means of compounding with spiritual creditors.[1] By one clean sweep those who despaired of ever being able to discharge their debts to the Church, were restored to her favour; their debt was forgiven, and heaven assured to them if they fell in battle.[2] The Church would still grant forgiveness freely to those who loved much.

*(f) Policy of the Popes.*

At the same time, the crusades contributed also to the benefit of order and settled society. By drawing off the most lawless and warlike, they left Europe in a state of comparative peace; and it cannot be supposed that the Popes were altogether blind to this

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[1] Concil. Clarom. an. 1095, Can. 2, LABBÉ, xii. 830: 'Quicumque pro sola devotione, non pro honoris vel pecuniae adeptione, ad liberandam ecclesiam Dei Jerusalem profectus fuerit, iter illud pro omni poenitentia reputetur.'

[2] GIBBON, vol. v. ch. lviii. p. 416.

result at the time they promoted them. No doubt the crusade may have appeared to them a useful means for turning lawlessness and love of war into a lawful channel. One of the first acts of the Council of Clermont, which decreed the first crusade, was to pronounce a severe censure against private war, and to confirm the Truce of God;[1] and in his speech delivered at that council, Urban II. complained, that while Christians were shedding Christian blood, they were abandoning the sacred field of fighting against the unbelievers; they were warring on each other, when they ought to be soldiers of Christ.[2] No great foresight was needed to know that the offer of a plenary indulgence would draw away the worst and most reckless members of society, as well as the most adventurous, in short, the very classes whom the Church had found it most difficult to manage. For

[1] Concil. Clarom. an. 1095, Can. 1, LABBÉ, xii. 630: 'Statutum 'est ut in omni die et monachi et clerici et feminae, et quae cum 'eis fuerint in pace, permaneant; tribus autem diebus, scilicet 'secunda tertia et quarta ab aliquo alicui illata non reputabitur 'pacis fractio: quatuor autem reliquis diebus si quis alicui injuriam 'intulerit, fractionis sanctae pacis reus habeatur et prout judica- 'tum fuerit puniatur.'

[2] LABBÉ, xii. 840: 'Pulcrum sit vobis in illa civitate mori pro 'Christo, in qua pro vobis Christus mortuus est. Caeterum si vos 'antea mori contigerit, idipsum autumate mori in via, si tamen 'Christus in sua vos invenerit militia. . . . Horrendum est, fratres, 'horrendum est, vos in Christianos rapacem manum extendere. 'In Sarracenos gladium vibrare, singulare bonum est, quia et cari- 'tas est pro fratribus animas deponere. . . . Jam nunc ergo auc- 'toritate loquamur prophetica: 'Accingere homo unusquisque 'gladio tuo super femur tuum, potentissime. Accingimini, inquam, 'et estote filii potentes, quoniam melius est nobis mori in bello, 'quam videre mala gentis nostrae et sanctorum.'

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had not these very classes been the chief supporters of the emperors in their struggles with the Pope? Might it not be expected that the cause of the Papacy would be completely triumphant, if they were removed? Perhaps after all there is more truth than has often been supposed, in the suggestion[1] that the first crusade was the result of a plan concerted between Urban II. and Boemund, his Norman ally, and was intended to deal a blow at the Western emperor, by depriving him of his principal allies.

*(3) Effects of the Crusades. (a) Increase of Papal power.*

Whether, however, the result was anticipated by the policy of the Popes, or whether it was unexpected, certain it is that one of the first effects of the crusades was to greatly increase the papal power. From their commencement to their end, an enormous dispensing power attached to the Pontiff, not merely from the penalties of sin in this world, or from the pains of purgatory, but from all temporal, civil and social obligations. The prince who took the Cross, left his dominions under the protection of the Holy See. The noble became exempt from most feudal claims. Even the bonds of the villain, the serf, and the slave were broken. The creditor could not arrest the debtor. The crusader was the soldier of the Church. To the Church he owed his first allegiance, and this released him from every other obligation. The Pope, from whom all these dispensations emanated, was invested with new authority. He was general-in-chief of the armies of the Faith. He soon aspired to be the liege-lord of mankind.

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[1] GIBBON, vol. v. ch. lviii. p. 426.

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(*b*) *Help towards realising the idea of Holy Empire.*

Moreover, the crusades contributed greatly towards *realising* the idea of the Holy Empire—the very idea out of which they had arisen. They swept away, as it were, the last impediment to the wedlock of religion with the warlike propensities of the age. They elevated Christian knighthood into a second hierarchy, investing the noble warrior with ceremonies closely resembling those of ordination.[1] They hallowed war, diverting it from wanton destruction, and directing it against the enemies of the Holy Empire, thus drawing a clear line of demarcation between the Christian world, which, in theory at least, was co-terminous with the Empire, and the heathen world which lay beyond it. The bishop and abbot stood side by side with the prince or noble in the wars with the Saracens.[2] Every knight was a soldier of the Cross; every soldier of the Cross was as ready to be a knight.[3] And thus it will be seen,

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[1] HALLAM'S *Middle Ages*, vol. iii. pt. ii. ch. ix. p. 396: 'Writers 'of the Middle Ages compare the knightly to the priestly charac- 'ter in an elaborate parallel, and the investiture of the one was 'supposed analogous to the ordination of the other. The cere- 'monies upon this occasion were almost wholly religious. The 'candidate passed nights in prayer among priests in a church; he 'received the sacrament; he entered into a bath and was clad 'with a white robe, in allusion to the presumed purification of his 'life; his sword was solemnly blessed; every thing, in short, was 'contrived to identify his new condition with the defence of 'religion or at least of the Church.' See also NEAND. vii. 169.

[2] In the first crusade, for instance, the two leaders of the forces from the south of France were Adhemar, Bishop of Puy, the Pope's legate, and Raymond, Count of St. Giles and Toulouse. In the fifth crusade the papal legate Pelagius superseded the lay generals.

[3] This was, however, strictly speaking, forbidden. Concil.

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how it became possible in later times to speak of crusades against heretics, as well as of crusades against the Pope's enemies, to initiate a war of extermination against the Albigenses, as well as one of intended conquest against England, to call the taking of Constantinople a crusade, equally with the war of Charles of Anjou against Manfred, with the persecution of Frederic II. by Innocent III., or with that of the Colonnas by Boniface VIII.

*(c) Estrangement of East and West.*

Perhaps the saddest feature about the crusades was their effect in estranging the Eastern and the Western Churches—a result the very opposite of that which had been originally intended. The Greek emperors had invited the crusaders to come to their rescue: they found that their friends might be as dangerous as their enemies. They were appalled by the utter want of discipline and self-control of the abandoned multitude that set forth under the guidance of Peter the Hermit and Walter the Penniless. They were terrified with their numbers, host following host; and they dreaded the power of the Franks, should they think of turning their power upon themselves. To extort the recognition of their own sovereignty, they treated the crusading chiefs with craft and cunning. On more than one occasion they basely deceived them, and it is said that they condescended to intrigues with the Saracens. Could they wonder if, in return for the mistrust, hatred and contempt, which they displayed towards the friends they had invited, they had to experience the contempt

Clarom. an. 1095, Can. 4, LABBÉ, xii. 830: 'Ne aliquis clericus 'arma deferat.'

and insolence of the Franks?—or that this contempt, increased by other difficulties, advanced towards its culminating point, until Constantinople was taken, and a Latin kingdom established in place of the effete Greek kingdom? Perhaps the rudeness of the Franks may have been as much to blame for these results as the treachery of the Greeks; but the results were in any case sad. The Greeks were henceforth known to the Franks only as treacherous, the Franks to the Greeks only as rude barbarians. Tenfold was the flame of hatred increased, already burning between the East and West.[1]



The causes which led to the crusades might have existed in full force, without a crusade having

[1] The causes of the disunion of the Eastern and Western Churches must be sought two centuries back. The usurpation of the patriarchate of Constantinople by Photius, and the claims of Constantinople to ecclesiastical supremacy over Bulgaria, had led to a schism between the two Churches in the Papacy of Nicolas. It had been healed by the deposition of Photius and the accession of the Emperor Basil, the Macedonian, in 869.

Ten years later, in 879, the schism broke out afresh. Photius had been restored on the death of Ignatius, but, refusing to allow a supremacy over the whole Church to John VIII., or to cede the ecclesiastical province of Bulgaria, had been anew excommunicated. Communion was temporarily restored in 886 by the deposition of Photius for the second time.

Overtures between the two Churches had been revived in 1024, but without effect. A new series of overtures was attempted in 1053, but the only result was the final separation of the two Churches. On July 16, 1054, the papal legates deposited on the altar of the Church of St. Sophia, at Constantinople, a bull of excommunication. The breach then caused was increased in the succeeding centuries by the following causes: (1) the growth of the Papacy, (2) the growth of the Western Empire, (3) the Crusades, and (4) scholasticism.

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(1) *Occasions.*

(*a*) *Capture of Jerusalem by the Turks.*

ever actually come to pass, had not a fitting occasion offered to bring these causes into play. That occasion was the conquest of Jerusalem by the Turks. Some twenty years before the first crusade left Europe, a change had come over the political relations of Palestine. Instead of the regular government of the Fatimite Caliphs,[1] the house of Seljuk was enthroned at Jerusalem, and the government was entrusted by them to the chief of a tribe of Turkmans, Ortok by name, whose fierceness and cruelty were the terror of all from Palestine to Nice and Bythinia. This change of government in a foreign country was felt all the more at the moment, owing to the new zeal for pilgrimages which had arisen in Europe, and which on one occasion, some thirty years before the first crusade, had brought as many as 7,000 at a time to visit the tomb of the Redeemer.[2] Now these pilgrims were treated with severity. The tax which they were required to pay was increased: the patriarch was cast into a dungeon to extort a heavy ransom ; and divine services in the Church of the Resurrection were often interrupted by the rudeness of the Mohammedans.

A.D. 1076–1096

1024

1064

(*b*) *Peter the Hermit.*

The tale of these grievances when borne back to Europe, and there repeated by the glowing eloquence

[1] The Fatimite caliphs reigned over Palestine from 969 to 1076. In the last-named year Jerusalem was conquered by the Turks. See GIBBON, vol. v. ch. lvii. p. 403.

[2] The Archbishop of Mentz with the bishops of Utrecht, Bamberg and Ratisbon, travelled from the Rhine to Jerusalem, an. 1064, with a retinue of some 7,000 persons. BARONIUS (an. 1064, No. 43–56) has transcribed the narratives of Ingulphus, Marianus, and Lambertus.

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of Peter the Hermit, was not likely to lose in dimension. Short in stature and contemptible in appearance, with a keen eye and the eloquence of conviction, once a knight of the sword, then renouncing the sword for the convent, passing from the convent to a hermitage, and from a hermitage to a pilgrimage, Peter had gone the round of every career in life. He could speak with experience, and address all classes. Herein lay the secret of his success. Abstemious in diet, liberal in giving away what he received, with bare head and naked feet, wrapt in a coarse garment, and bearing a crucifix, he rode about, telling what he had seen, and enlisting alike the noble and the peasant, the priest and the layman, the regular and the secular, in the cause which he had at heart—the first instance of a Mendicant Friar. None could resist his appeal; Pope Urban II. was won; and so great was the number of those who flocked to the Council of Piacenza, that no church could contain them, and the assembly was held in the open plain. An embassy from the A.D. 1095 Eastern emperor was there to plead the cause of the Eastern Christians, and many promised on the spot to go to their rescue.[1]

[1] Account of the Concil. Placent. an. 1095, LABBÉ, xii. 821: 'Facta est autem haec synodus circa mediam quadragesimam 'Placentiae: ad quam synodum multitudo tam innumerabilis con- 'fluxit, ut nequaquam in qualibet ecclesia illius loci posset com- 'prehendi. Unde et dominus Papa extra urbem in campo illam 'celebrare compulsus est. Hoc tamen non absque probabilis 'exempli auctoritate: nam primus legislator Moyses populum 'Dei in campestribus, legalibus praeceptis, Deo jubente, instituit; 'et ipse Dominus non in domibus, sed in monte et in campestri- 'bus, discipulos suos evangelicis statutis informavit. . . .

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Nor was it otherwise at Clermont, where Pope Urban II. appeared himself as the preacher. He spoke of Jerusalem being trodden down of the Gentiles, how Christians were become a scorn and derision to those round about them. He praised the first martyr, St. Stephen, and John the Baptist, and called upon those who heard him to fight more bravely than the Israelites of old had done, against Turks who were worse than the Jebusites, declaring that he, like Moses, would pray whilst they went up to fight against the Amalekites.[1] His speech was

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'Item legatio Constantinopolitani imperatoris ad hanc synodum 'pervenit, qui dominum Papam omnesque Christi fideles suppli- 'citer imploravit, ut aliquod auxilium sibi contra paganos pro 'defensione sanctae ecclesiae conferrent. . . . Ad hoc ergo auxi- 'lium dominus Papa multos incitavit, ut etiam jurejurando pro- 'mitterent se illuc, Deo annuente, ituros.'

[1] Concil. Clarom. an. 1095, LABBÉ, xii. 839: 'Nos miseri, nos 'infelices, quorum tempore Dei prophetia ista completa est: 'Deus, venerunt gentes in hereditatem tuam: polluerunt templum 'sanctum tuum: posuerunt Jerusalem in pomorum custodiam. . . . 'Quam terram merito sanctam diximus, in qua non est etiam 'passus pedis quem non illustraverit et sanctificaverit vel corpus 'vel umbra Salvatoris, vel gloriosa praesentia sanctae Dei geni- 'tricis, vel amplectendus apostolorum commeatus, vel martyrum 'ebibendus sanguis effusus. Quam beati, O Stephane proto- 'martyr, qui te laureaverunt lapides! Quam felices, O tunc, 'Baptista Joannes, qui tibi ad Salvatorem baptizandum servierunt 'Jordanici latices! Filii Israel ab Aegyptiis educti, qui rubri 'maris transitu vos praefiguraverunt, terram illam armis suis, Jesu 'duce, sibi vendicaverunt; Jebusaeos, et alios convenas inde 'expulerunt, et instar Jerusalem coelestis, Jerusalem terrenam 'excoluerunt. . . .

'Haec ideo fratres, dicimus, ut et manus homicidas a fraterna 'nece contineatis, et pro fidei domesticis vos externis nationibus 'opponatis, et sub Jesu Christo duce vestro acies Christiana, acies 'invictissima, melius quam ipsi veteres Israelitae pro vestra Jeru-

interrupted by loud cries of 'God wills it! God wills it!' The cross was distributed as a badge to the crowds who pressed forward to receive it. The crusade was decreed, and the Pope was invited to march at its head.

(2) *The Crusading rabble.*

The story of that crusade is a well-known one. It is really a story of several crusades, and brings before us in vivid colours the devotion of some, the heroism of others, the ferocity of many, the ignorance of all. There was the first outburst of enthusiasm, the more than sixty thousand of both sexes, who impatient of delay set forth from France and Lorraine under the generalship of Walter the Penniless; the fifteen or twenty thousand peasants from the villages of Germany, led by the monk Godescal; the indiscriminate herd of two hundred thousand who pressed their rear, guided, it is said, by a goose and a goat. The impatience of these pilgrims brought on them a sad retribution. Distinguished in the early part of their route for their rapine and drunkenness, and the wild fury with which they persecuted and massacred the Jews; bringing down on themselves by their rude injuries, the revenge of the native Christians amidst the morasses and forests of Bulgaria; escaping with but one third of their number to the mountains of Thrace, and thence reaching Constantinople; there received with kindness, and retaliating with

'salem decertetis, et Turcos, qui in ea sunt nefandiores quam 'Jebusaei, impugnetis et expugnetis. . . .

'Vos autem qui ituri estis, habebitis nos pro vobis oratores: 'nos habeamus vos pro populo Dei pugnatores. Nostrum est 'orare, vestrum est contra Amalecitas pugnare.'

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depredations; unable to control themselves, and a burden to others; they were conveyed across the Bosporus by the emperor Alexius, only to fall an easy prey to the arts of the sultan. A false rumour tempted them into the plain of Nice, and all that remained to tell of the sad fate which befell the three hundred thousand crusaders who first set forth in obedience to Peter's summons, was a heap of whitening bones.

(3) *The real Crusade.*

(*a*) *The leaders.*

A better fate awaited the more disciplined army which set out in the autumn of the same year, under the leadership of Godfrey of Bouillon, the princes of Northern and Southern France, and the princes of Italy. No character, however, shines so bright in their midst as does that of the noble Godfrey of Bouillon, valorous, pious, humble, and virtuous. With his two brothers, Eustace and Baldwin, he was at the head of some 90,000 men. Four princes commanded the contingent from Northern France: Hugh, Count of Vermandois, brother of the king, and hence called the Great; Robert, the eldest son of William the Conqueror; Robert, Count of Flanders, the sword and lance of the Christians, and the wealthiest prince of the age; Stephen, Count of Chartres, Blois, and Troyes, who had castles as many as the days of the year. In Southern France the command was assumed by Adhemar, Bishop of Puy, the Pope's legate, and Raymond, Count of St. Giles and Toulouse; and Italy sent forth at once the base and intriguing Boëmund, and his cousin, the chivalrous Tancred.[1]

[1] See the account in GIBBON, vol. v. ch. lviii. p. 423 *seq.*

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(*b*) *The route.*

Advancing by three different routes, all the divisions of the army reached Constantinople by May in the following year, yet not without encountering many difficulties. The Hungarians had attacked Godfrey's army, smarting under the injuries inflicted by the first Christian rabble. Probably owing to the same cause, Raymond had to complain of the hostility of the natives of Dalmatia and Sclavonia. Hugh was at Constantinople, a prisoner in the hands of Alexius. From Constantinople, after experiencing the treachery of Alexius, they crossed the Bosporus. In Asia Minor they mustered a force, if the authority may be believed, of 600,000 men. Their first exploit in paynim land was the siege of Nice, wrested from them, however, by the treachery of Alexius. The successful battle of Dorylaeum followed, when, besides 3,000 pagan knights, a countless multitude of pagans fell. Next came the celebrated siege of Antioch, five-and-twenty days being spent by the Christians on the verge of destruction; then they were in turn besieged in Antioch, and owed their deliverance to the discovery of the Holy Lance. But by this time, most of the leaders who had first set out had turned back, the Duke of Normandy to face the Church's censures, Stephen to enjoy his ease, Peter to avoid the penance of a fast, Baldwin to found the principality of Edessa. Few only remained, who, having once taken the Cross, refused to look back; and among these the principal ones were Godfrey, actuated by motives of disinterested piety, Tancred by chivalry,

14 May to June 20, A.D. 1097

July 4, 1097

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and the two Roberts. Worse than all, the soldiers were discouraged, because William of Melun, their favourite, who from the violence of his blows had obtained the name of Carpenter, had also deserted the cause.

(c) *Capture of Jerusalem.* A.D. May, 1099

Saddened but yet not daunted, after a long delay at Antioch, the relics of the mighty host, some 40,000 in number, set out for Jerusalem. Laodicea, the Libanus, Caesarea, Lydda, Ramla, Emmaus and Bethlem[1] were soon reached, and when the first glimpse of the holy city was obtained, they felt amply recompensed for their toils, and were animated with new courage. On the first swell of Mount Calvary Godfrey's standard was erected : to the left, the line of attack was continued by Tancred and the two Roberts; Raymond established his quarters from the citadel to the foot of Mount Sion. For forty days the siege went on—forty days of calamity and anguish indeed ; and at length, on July 15, in the last year of the century, more than four years after the crusade had been first preached, their labours were ended, and the city was taken. On that day, a Friday, at three in the afternoon, the day and hour of the Passion, Godfrey of Bouillon stood victorious on the walls. Success had at length crowned the crusaders' efforts : the holy sepulchre was now free ; and the victors prepared to accomplish their vow. But how few were left of those who had first listened to Peter's preaching, or taken the vow at Clermont!

[1] GIBBON, vol. v. ch. lviii. 452. Bethlem is not the well-known Bethlehem, south of Jerusalem.

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(4) *Frankish kingdoms in the East.*

The capture of Jerusalem was not the sole result of the first crusade. For that crusade, unlike any other except the fourth, left permanent results behind it in the establishment of Frankish princedoms in the East. Nice might have formed the seat of one such princedom, had not Alexius craftily persuaded the inhabitants to accept his protection, and to surrender to the Eastern Empire.[1] Boëmund, Prince of Tarento, had secured for himself the city of Antioch before it was taken, and now held that principality as an independent sovereign, owning no feudal superior.[2] Baldwin was established at Edessa.[3] A.D. 1098 At Tripoli and Tiberias princedoms were likewise established, which owned themselves the vassals of Jerusalem. And above them all towered the kingdom of Jerusalem, memorable for the modesty of its first king, Godfrey, who, although elected to be its sovereign by universal acclamations, refused to wear the insignia of dignity, a golden crown, in the place where the Redeemer had only worn a crown of thorns; memorable, too, for its code of feudal jurisprudence, commonly known as the Assise of Jerusalem; and memorable for its overthrow, after a duration of eighty-eight years, by the arms of Saladin. The eleventh century closed over the establishment of all these kingdoms. It seemed as though a new field of conquest and settlement had opened out for the Franks in the East. But soon those

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[1] GIBBON, vol. v. ch. lviii. 439.

[2] *Ibid.* p. 442. The kingdom of Edessa subsisted forty-four years, from 1099 to 1144.

[3] *Ibid.* p. 444.

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prospects were blighted. Within fifty years, Edessa had fallen, giving occasion to the second crusade; within one hundred, Tripoli, Tiberias and Jerusalem; within a hundred and fifty, Antioch; and before the thirteenth century closed, Ptolemais or Acre, the last possession of the Christians in Palestine, had followed the fate of its predecessors.

C. *Crusades of twelfth century.*

The zeal for crusades having been once called forth, and success having crowned the first attempt to gain Jerusalem, there was no stopping the flow of pilgrims which now set towards the Holy Land. Christians from the West combined with Christians in the East to drive out the Turks. But whilst the Franks did the most of the fighting, the Eastern emperors contrived to get the most of the results, and, openly avowing friendship, secretly indulged in treachery. No wonder, therefore, that when the Franks became alive to their double-handedness, they had to pay the penalty of their perfidy. In the twelfth century, however, there was still enough to occupy both in dealing with their common enemy. In this century, not less than three great emigrations marched by land to the relief of Palestine, the first of them less known than the others, the two latter usually bearing the names respectively of the second and third crusade.

(1) *Crusade of* 1101–1103

And yet as far as numbers are concerned, the first of these three crusades, which left Europe in the year 1101, under the guidance of the Dukes of Burgundy, Bavaria and Aquitaine, a crusade so little known that it is hardly ever reckoned as a separate crusade, was not inferior to either of the two which came after it.

Two columns of pilgrims composed it, the one consisting of two hundred and sixty thousand persons, the other of sixty thousand horse, and one hundred thousand foot. With them, too, went the Archbishop of Milan, and the repentant renegades, Hugh of Vermandois and Stephen of Chartres.[1] It was a mighty crusade, the sequel to Godfrey's conquest of Jerusalem.

(2) *The second Crusade.* A.D. 1147–1199

Forty years later the news reached Europe that Edessa had fallen before the attacks of Emadeddin Zengi, and simultaneously therewith there arose a preacher equal to the occasion, a second Peter the Hermit, to kindle the flagging energies of the Franks, no other than the well-known Bernard, Abbot of Clairveaux. At Vezelay he appeared before the King of France, Louis VII., and uttered his glowing words. Nor were they uttered in vain; the king and his wife, Alienordis, took the Cross. They were followed by the great men of the realm, by bishops and abbots. Louis VII. exhorted them to avert from the family of David the disgrace of a defeat at the hands of the Philistines; he reminded them of the valour of the Franks, even in chains. He called on them to rise up against the worshippers of idols, and assured them that God would arise on their behalf, and that his enemies would be scattered.[2] Equal

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[1] GIBBON, vol. v. ch. lviii. 468.

[2] Concil. Vizeliac. an. 1146, LABBÉ, xii. 1633: 'Rex ut audivit 'inimicos crucis in tantam praesumptionem prorupisse . . . in- 'juriam proposuit vindicare; et . . . eodem anno castro Vize- 'liaci magnum parlamentum congregavit. . . . Nec defuit ibi S. 'Bernardus Claraevallis abbas, qui . . . monuit barones et popu-

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success attended Bernard's preaching in Germany.[1] The Emperor Conrad took the Cross, as well as his grandson Frederic, afterwards emperor. Many German and Saxon nobles followed their example: with them were the kings of Bohemia and Poland; and it is computed that not less than four hundred thousand crusaders set out under the Emperor Conrad III. and the King Louis VII.

The failure of this crusade, if it may be assigned

'lum ut ad vindicandas Christi injurias viribus totis insurgerent. '. . . Cujus os in praedicando opitulante sanctitate non laboravit 'in vacuum. Nam rex primus prosiliens cum magno devotionis 'ardore signum sanctae crucis assumpsit, et post ipsum regina 'Alienordis uxor sua. . . . Tunc videntes regem et reginam sig-'num crucis assumsisse, cum magno devotionis affectu isti, quos 'litera nominabit crucem unanimiter assumpserunt. Videlicet 'Alphonsus comes S. Aegidii; Thiericus, Comes Flandriae; 'Henricus filius comitis Theobaldi Blesensis; Guido comes Niver-'nensis; Reginaldus frater ejus Comes Thenodori; Comes Dro-'charum Robertus frater regis; Yvo comes Suessionensis; Gul-'lielmus comes Pontiviensis; Gullielmus comes Guarentiae; Ar-'cambandus de Borbonio; Engerranus de Conciaco; Gaufridus 'de Ramonio; Hugo de Lusigniaco; Gullielmus de Cortegniaco; 'Renondus de Monte-Argiz; Ytherus de Thociaco; Guicherus de 'Monte-Gaii; Evrardus de Bretholio; Droeo de Moniaco; Ma-'nasserus de Bugues; Ansellus de Trienello; Guerinus frater 'ejus; Gullielmus Buticularius; Gullielmus Agilous de Tria, et 'plures alii nobiles. . . . De praelatis Simon episcopus Novio-'mensis, Godefridus episcopus Lingonensis; Arnulphus episcopus 'Lisievensis. De abbatibus, Herbertus abbas S. Petri vivi Leno-'nensis; Theobaldus abbas S. Columbae Lenonensis, et multae 'aliae personae nobiles. . . . Eodem anno Conradus Alemannus 'imperator, et Fredricus dux Saxoniae nepos suus qui postea fuit 'Imperator. . cruces similiter assumpserunt.' *Another source, ibid.*: 'Famosiores autem inter omnes qui cum rege hujus itineris angus-'tiam subierunt, fuerunt hi. Alamannorum imperator Henricus, 'Robertus frater regis,' &c.

[1] Concil. Carnotense, an. 1146, LABBÉ, 1637.

to any one cause in particular, was occasioned by the treachery of the Greek emperor, Manuel. Rivalry and emulation already existed between Franks and Germans. This rivalry was fostered by Manuel. By him, seasonable intelligence was conveyed to the sultan, and treacherous guides were given to the Latin princes. Inferior in the arts of simple warfare to the Turks, this inferiority was felt overwhelmingly by the Latins, when their forces were divided and themselves taken at a disadvantage. The greater part of Conrad's army fell in unsuccessful action on the banks of the Maeander, that of Louis VII. was left to perish at the foot of the Pamphylian hills for lack of transport ships. The emperor and the king met and wept at Jerusalem, safe themselves, but their armies mere shadows. They returned to Europe, bearing a name for piety and courage, but unable to effect the object for which they had started.[1]

(3) *The third Crusade.* A.D. 1189

Nor did the Turks, who had braved the joint-armies of a king and an emperor, relax their efforts after the departure of the Franks. Arabia was already theirs, Egypt was wrested from the Fatimites, and Syria was soon in their hands. They had gained Tripoli and Tiberias by Christian connivance, and the hero of the hour, Saladin, captured Jerusalem without difficulty.

Oct. 2, 1187

The golden cross that for eighty-eight years had glittered on the dome of the mosque of Omar, had been cast down and dragged through the streets, and Christians of every sect, themselves the objects of

[1] GIBBON, vol. v. ch. lix. p. 472.

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Saladin's clemency, groaned lamentably at the sad spectacle. Pathetic tales were borne to Europe of the servitude and profanation of Jerusalem, of the banished king, of the oppressed pilgrims: and there, too, the cry went up that God would arise, and let his enemy be scattered. The groans of the oppressed Christians in the East awakened a kindred strain in the bosoms of their brethren in the West, and found voice in the pitiful plaints of Pope Gregory VIII. He has heard of the terrible judgment of God, and can only say with the Psalmist: 'O God! the heathen are come into thine heritage.' He has heard of the captured cross, of the slain bishops, of the imprisoned king, of the multitudes put to death at the edge of the sword; and with the prophet he can only say: 'O that my head were waters, and mine eyes a fountain of tears, that I might weep night and day for the slain of my people.' But yet he encourages not to despair. He bids men regard the calamity as a punishment for sin, and ends with seasonable advice.[1] The

[1] See the three letters of Gregory VIII. an. 1187, in LABBÉ, xiii. 661. The first is addressed, 'Ad omnes Christi fideles.' It ends with the following practical advice: 'Eis autem qui corde 'contrito et humiliato spiritu, itineris hujus laborem assumpserint, 'et in poenitentia peccatorum et fide recta decesserint, plenam 'suorum criminum indulgentiam, et vitam pollicemur aeternam. '. . . Bona quoque ipsorum, ex quo crucem acceperint, cum suis 'familiis, sub sanctae Romanae ecclesiae . . . protectione con-'sistant; et nullam de his quae in susceptione crucis quiete pos-'sederunt . . . sustineant quaestionem. . . . Ad dandas quoque 'usuras, si tenentur alicui, non cogantur. Nec eant in vestibus 'preciosis, et cum canibus, sive avibus, aut aliis quae ostentationi 'potius et lasciviae, quam necessariis videantur usibus deservire: 'sed in modesto apparatu et habitu, in quo poenitentiam potius

achievement of the first crusade was undone, but he calls on Christendom to come to the rescue.

The Emperor Frederic Barbarossa, King Henry II. of England, and Philip Augustus of France responded to the call, and came forward as the champions of a new movement[1]—a movement not less popular than the preceding ones, but more tragic in its results. There was again the same enormous multitude of crusaders, estimated at from five to six hundred thousand; the same losses on the journey, although this time it was undertaken by sea, and not by land; the same account of the masses dying in fight, and by disease; of battles won and lost, of the reinforcements who crowded to occupy the places left vacant by death, and of the hardships which all had to endure. But the third crusade has also points which invest it with a more than ordinary interest.

Such was the heroic defence of Tyre by Conrad of Montferrat,[2] who braved the sultan's threats, that he

'agere quam inanem affectare gloriam videantur.' The second letter is 'De jejunio servando ad placandum Deum offensum'; the third, 'Pro justitia facienda et litibus componendis.'

[1] Conventus ad Gisortium, an. 1188, LABBÉ, xiii. 671: 'Factum 'est colloquium intra regem Franciae Philippum et Henricum 'regem Angliae inter Triam et Gisortium, ubi, praeter omnium 'hominum opinionem, Domino miraculose operante factum est, 'quod per inspirationem Spiritus sancti coelitus missi, illi duo 'reges in eodem loco pro liberatione sancti sepulcri Domini . . . 'signum sanctae crucis assumpserunt, et multi archiepiscopi, epi-'scopi, et comites, duces et barones cum eis: scilicet Galterus 'Rotomagensis archiepiscopus; Balduinus Cantuariensis archi-'episcopus; episcopus Belvacensis; episcopus Carnotensis; Dux 'Burgundiae; Richardus comes Pictaviae; Philippus comes Flan-'driae; Thibaldus comes Blesensis,' etc.

[2] GIBBON, vol. v. ch. lix. p. 489.

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would expose his aged parent, a prisoner in the hands of the Turks, to the darts of the besieged; such was the siege of Acre, which lasted nearly two years, and consumed in a narrow space the forces of Europe and Asia; such were the prowess and the emulation of the two kings,[1]—Philip Augustus brave, but a statesman, Richard possessing the brutal, thoughtless courage of a beast of prey; the departure of Philip, the further conquests of Richard, his treaty with Saladin, his retreat when in sight of Jerusalem, and his return to Europe, there to encounter a long captivity, and a premature grave. But most telling and touching of all, is the plaintive tale of the Emperor Frederic Barbarossa, trained by forty campaigns to lead and to command. He had advanced from Philadelphia to Laodicea, and there plunged into the salt and barren desert, a land of horror and tribulation. During twenty days his march was besieged by hordes of Turcmans, until he reached Iconium with no more than a thousand knights. By a sudden and resolute assault, Iconium was captured, the sultan reduced to sue for pardon and peace; and when about to advance towards the Holy City, and a halt had been made before a petty stream, until the sumpter horses should have crossed it, the emperor, impatient of delay, put his horse to the waters and thought to cross the Selesius by swimming, when, 'O heaven! O earth! O sea!' says the chronicler,[2] 'the ruler of the Roman Empire, ever august, in whom the glory of ancient Rome again

June 10, 1190

[1] GIBBON, vol. v. ch. lix. p. 492. [2] *Itiner. Ric. I.* ch. xxiv.

flourished, its honour again lived, and its power was augmented, was overwhelmed in the waters, suddenly swept away, and perished.' When his funeral rites were over, they left the fatal spot, bearing with them the body of the emperor adorned with royal magnificence, that it might be carried to Antioch. There the flesh reposes in the church of the apostolic See, and the bones were conveyed by sea to Tyre, thence to be transported to Jerusalem. 'It was indeed fit and wonderfully contrived by God's providence, that one, who had contended gloriously for Christ, should repose in the two principal churches of the Christian religion, for both of which he had been a champion—part of him in the one, part in the other—the one which our Lord's burial rendered the most distinguished, the other that which was honoured by being the See of the chief of the apostles.'[1] But it was a melancholy end to the last of the great crusades to Palestine. To the succeeding ones a new character attached. There was more in them of policy, and less of zeal. They were not directed as they had hitherto been, exclusively against the enemies of Christendom; but fellow-Christians were the objects of vengeance. The fatal privilege of fighting against the Turks had been dearly purchased.

D. *The Crusades of the first half of thirteenth century.*

One of the great objects contemplated in organising the crusades had been to bring the East and the West into closer union with each other. This object had been so far obtained in the preceding crusades that the Franks had learned to look upon

[1] *Itiner. Ric. I.* ch. xxiv. *ad fin.*

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(1) *Fourth Crusade to Constantinople.*

A.D. 1198–1204

(*a*) *Hostility of Venetians to the Greeks.*

the Greeks as treacherous, and the Greeks had come to consider the Franks as barbarians. More than once the flower of the chivalry of Europe had met with an untimely end, owing to the baseness of the Greek emperors. Alexius at least contrived the absence of the formidable pilgrims; his successors, Manuel and Isaac Angelus, conspired with the Moslems for the ruin of the greatest princes of the Franks.[1] The temporary encouragement which the Venetians, the Pisans, and the Genoese received at Constantinople from Manuel and his successor Alexius was bitterly atoned for by the violence with which they were visited in the tumult which announced the return and elevation of Andronicus. The people rose in arms against the Franks: neither age nor sex could protect them; and they were mercilessly slaughtered in their houses and in the streets, amid the loud denunciations of the schismatical priests and monks. And in consequence, as might be expected, no good-feeling existed between the Greeks and the Franks. The Venetians were embittered more than others against the foes who had deprived them of their lucrative trade.

(*b*) *Preachers and leaders of the Crusade.*

At this moment there appeared in France a new preacher of a holy war, in learning and ability far below St. Bernard, in wild extravagance, second only to Peter the Hermit, an illiterate priest encircled with a halo of sanctity, by name Fulk of Neuilly. Assuming the character of an itinerant preacher, he traversed the country, declaiming

[1] GIBBON, vol. vi. ch. lx. p. 5.

against the vices of the age, and warmly espousing the new crusade which Innocent III. on his accession was anxious to promote. Amongst princes his preaching found little favour. Philip Augustus had been once to Jerusalem; so had Richard of England; and the emperor Frederic II. was a child. So much the greater, however, was the success which he obtained among nobles of the second order. Thibaut, Count of Champagne, was the foremost in the holy race: his companions in arms were Louis, Count of Blois and Chartres, Mathew of Montmorency, the famous Simon of Montfort, the chronicler of the crusade, Jeffrey of Villehardouin, and Baldwin, Count of Flanders. It was resolved that the Turks should be assailed in Egypt.[1]

*(c) Crusaders enlisted in the service of Venice,*

A.D. 1201

This resolve, however, obliged the crusaders to apply to Venice; for how could Egypt be reached except by sea? and who but the Venetians could supply ships sufficient to transport so large a host? The application was accordingly made, and was courteously received by the Doge Henry Dandolo; and it was agreed between the French ambassadors, acting on behalf of the crusaders and the Venetians, that those who had taken the Cross should assemble at Venice on the feast of St. John in the ensuing year; that vessels should be provided for transporting four thousand five hundred horses, nine thousand squires, four thousand five hundred knights, and twenty thousand foot; that during a term of nine months they should be supplied with provisions, and

[1] Gibbon, vol. vi. ch. lx. 13.

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transported to whatsoever coast the service of God and Christendom should require ; and that, in return, the pilgrims should pay before their departure a sum of 85,000 marks of silver, and hereafter share equally with the Venetians all conquests which should be made by land or sea. The terms were hard, but the Franks had no alternative but to accept them. When, however, the time came for the payment of the stipulated sum, notwithstanding all the contributions and self-sacrifice of the chiefs and pilgrims, 34,000 marks were still wanting to complete the total sum. Many had already sailed from Marseilles and Apulia to the Holy Land. The crusade could not be abandoned. But whence were the lacking funds to be supplied? The warriors were at the mercy of their creditors. In this distress, the Venetians treated them well. Yielding to the persuasions of the doge, they agreed to postpone the time of payment, until some rich conquest should supply the Franks with the necessary means, provided the latter would accede to one condition, and would join their arms in reducing some revolted cities of Dalmatia. There was no option but to obey; the terms were accepted, and the first hostilities of the fleet and army were directed against the revolted city of Zara.[1]

*and directed against Constantinople.*

But soon events happened, which turned the united forces of the Venetians and crusaders against nobler game. Innocent III. had excommunicated the false crusaders for pillaging and massacring at

[1] GIBBON, vol. vi. ch. lx. p. 22.

Zara brother Christians. He gave his warmest sanction to the new scheme, concocted in this emergency at Venice, and eagerly promoted by the young Alexius, the exiled son of the deposed Eastern emperor, Isaac. The scheme was simply this. The crusaders should sail to Constantinople, and restore the deposed emperor Isaac to his throne. They should avenge the blood of the Latins shed by the wanton Greeks; open to the Venetians a new field of commerce, and, reuniting East and West, bring the Greek Church to acknowledge the Pope's supremacy. As Gregory VII. had thought, so Innocent III. thought also. The Holy Empire should be made coextensive with the civilised world; and two emperors, not one alone, should be brought to offer homage to the successor of St. Peter. The scheme was favourably received by all, by the Pope, the Venetians, and the Franks, and accordingly it was acted upon.

(*d*) *Results of the Crusade twofold.*

Pregnant it was with results, since it broke the spell of the belief, which had gathered during nine centuries about Constantinople, that the city was invincible, destined, like old Rome, to survive every storm. It led to the establishment of a foreign kingdom in that metropolis, which asserted itself for fifty-six years, and was thus the prelude to the establishment of that foreign dominion, which the Turks set up exactly two and a half centuries later. The Bosporus was passed by the Franks in safety: Constantinople was reached; Isaac was restored to his throne. Then the Franks were requested to stay to secure him in possession of his throne; then jealousies

(*a*) *Capture of Constantinople.*

A.D. 1203–1204

*First siege.*

July 7–18, July 19, 1203

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broke out between the Latins and the Franks; a cunning courtier, Mourzoufle, seizing his opportunity, deposed and put to death Alexius; his father Isaac followed him; Mourzoufle was master of the occasion, and the Latins were shut out of the city.[1]

*Second siege.* A.D. Jan. to April, 1204

Vowing vengeance on the Greeks, the Franks set themselves a second time to besiege Constantinople, their hostility against a usurping family having been now exchanged for a deep animosity towards a whole race. This time the siege was longer than before, but this time also the city was taken, and so much severer was the vengeance when it was taken. The scenes of bloodshed, rapine, and plunder which then ensued, need not engage our attention long, since an event far more important than any of them, resulted from the capture.[2]

(3) *Establishment of Latin Kingdom.* May 16, 1204

In the chapel of the palace at Constantinople, on May 16, 1204, the twelve electors met, six of them French prelates, and six the principal officers of the state of Venice, to whom the task had been assigned of electing an emperor of the East who should hold the throne vacant by the death of Isaac, and recovered from the usurper Mourzoufle. Around the chapel were gathered the French barons, with the doge, Dandolo, and the Marquis of Montferrat at their head, both of whom had been proposed as candidates, though the one had refused the honour, and the other was diffident of success, awaiting the decision of the electors whom they had appointed. 'Sirs,' said

[1] GIBBON, vol. vi. ch. lx. p. 27. [2] *Ibid.* p. 33.

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the Bishop of Soissons, speaking in the name of his colleagues, 'ye have swore to obey the prince whom we should choose: by our unanimous suffrage, Baldwin, Count of Flanders and Hainault, is now your sovereign, and the emperor of the East.' Loud bursts of joy greeted this announcement. Baldwin was elevated on a buckler, transported to the cathedral, and solemnly invested with the purple buskins. All were gladdened at his elevation, excepting perhaps the disappointed Marquis of Montferrat; but he was the first to kiss the hand of his rival.[1] It was the birthday of a new Empire.[2] Strange and chequered had been the crusaders' career. They had not wrested Jerusalem from the Turks, but they had won Constantinople from the Greeks.

(2) *Fifth Crusade.* A.D. 1218

To return to Palestine. Success always promotes fresh enterprise, and the Holy Land was still in the

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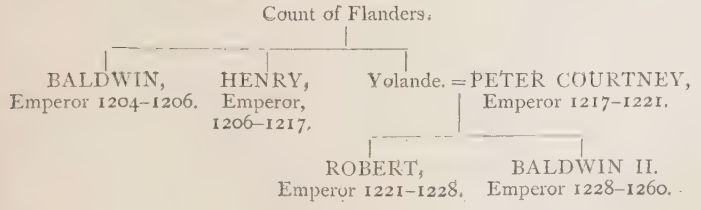
[1] GIBBON, vol. vi. ch. lxi. p. 45.

[2] The Latin kingdom of Constantinople was established in 1204, and lasted until the year 1260. The following were its five sovereigns: (1) Baldwin, Count of Flanders, 1204–1206; (2) his brother Henry, 1206–1217; (3) Peter Courtney, Count of Auxerre, who had married their sister Yolande, 1217–1221; (4) the son of Yolande, Robert, 1221–1228; and (5) her other son, Baldwin II., 1228–1260. The granddaughter of the second Baldwin, Catharine, married Charles of Valois. See GIBBON, ch. lxi. The genealogy is therefore as follows:



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hands of pagans. The Popes were zealous in preaching crusades against their enemies,[1] nor was their preaching in vain. In the year 1212 a number of children set out to undertake a crusade. It was supposed that God must favour the efforts of the innocents. Six years later, two hundred thousand Franks were landed at the eastern mouth of the Nile. They thought to carry out the scheme which had been abandoned in the last crusade, that of attacking the sultan from Egypt. Damietta was captured, but then the exploit ended. Under the incompetent generalship of the papal legate, Pelagius, the warriors of the Cross were encompassed by the waters of the Nile, their ranks were thinned by pestilence, and themselves attacked by the forces of the Moslems. Only too gladly they surrendered their conquest in return for a safe retreat, some concessions for the pilgrims, and restitution of the wood of the true Cross.[2] The fifth crusade ended without more glory than any which preceded it.

(3) *Crusade of Frederic II.* A.D. 1228

Nor was it otherwise with the expedition which Frederic II. undertook ten years later, in obedience to the Pope's commands.[3] Early forced to assume the Cross at the bidding of his guardian, forced after-

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[1] Concil. Paris. an. 1186, LABBÉ, xiii. 657, sub Urbano III.; letters of Gregory VIII. already referred to, *ibid.* p. 661; Convent. Cenoman. an. 1188, sub Clementi III., *ibid.* p. 673; Concil. Paris. an. 1188, *ibid.* p. 675; Concil. Avenio. an. 1209, cap. ii. *ibid.* p. 797; Epist. Innoc. III. ad Concil. Lat. spectans, *ibid.* p. 905 *seq.*, and *Regist. Epist. Innoc. III.* lib. xvi. Eps. 28, 30, 31, 33, 34, 36; Later Concil. iv. an. 1215, *ibid.* p. 1024; Gregory IX. Ep. i. an. 1227, *ibid.* p. 1111.

[2] GIBBON, vol. v. ch. lix. p. 496. [3] *Ibid.* p. 497.

wards to renew the vow at his royal and imperial coronations, forced anew by his marriage with the heiress of Jerusalem to defend the kingdom of his son Conrad, that prince had with advancing age, repented of the engagements of his youth, and sought to escape the toils in which he had been ignorantly involved. Perhaps, too, he had divined the secret of the Pope's zeal for crusades, and was loath to promote a measure intended for his own abasement. Compelled, however, to fulfil his promise, he had set about his task with a caution, not more than the magnitude of the undertaking required. Excommunicated for his caution, he set forth on the enterprise: and for venturing to move, he was again excommunicated. Whilst engaged in a crusade to Palestine, a crusade was preached against him in Italy. Everywhere the clergy and military orders were against him. Yet Jerusalem was reached, and entered in triumph; and in Jerusalem, from the altar of the holy sepulchre, with his own hands he took the crown which no one else was willing to bestow. The Christians intrigued to betray him; the Turks were disposed to be his friends; and preferring to conclude an advantageous treaty to carrying on a hopeless struggle, he returned to his Empire, bearing the brunt of the Pope's indignation. How changed the idea of crusades had been within a century and a quarter! Once they had been holy wars against the paynim; now they were unholy wars against the Pope's personal enemies.

E. *The Crusades of St. Louis.*

The age of crusades did not, however, pass away without witnessing two more attempts to revive the

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(1) *Sixth Crusade.* A.D. 1249–1254

old idea.[1] The author of those attempts was Louis IX., King of France, better known by the title of Saint; but they were both the attempts of an individual to revive an idea the day of which had passed away for ever. Down the Rhône, St. Louis marched. He embarked for Cyprus. From Cyprus he invaded Africa. Damietta was abandoned by the Saracens. The French were masters of the city. But Damietta was at once the first and the last of his conquests. The same causes brought disaster on the sixth crusade, that brought disaster on the preceding one. Visited by epidemical disease, incessantly exposed to showers of Greek fire, cut off from supplies both by land and water—by land owing to the Arabs, by water owing to the Egyptian galleys—wasted by famine and sickness, the French barons and nobles succumbed to misfortune; St. Louis was taken prisoner with the greatest part of his attendants; those who could not redeem their lives were inhumanly massacred or sold into slavery, and the king was only set free by restoring Damietta, and paying a sum of 100,000 marks.

(2) *Seventh Crusade.* A.D. 1270

Yet once again some sixteen years later, St. Louis, nothing daunted by previous failures, in the ardour of religious zeal, set out to undertake the seventh and last crusade—a crusade the most ignoble, and not the least calamitous of all the crusades. The loss of Antioch had provoked the enterprise. Its course was directed to Africa, in the belief that the king of

[1] GIBBON, vol. v. ch. lix. 499. For the account of these crusades, see JOINVILLE'S *Memoirs of St. Louis*.

Tunis would be a convert. The belief proved to be a false one, and the French army sat down before Carthage. Then, as many of his soldiers had perished before him, the king was seized with an illness, and took to his bed. Well knowing that he was about to quit this life for another, he called for his children, and gave them his parting wishes. 'He then ordered his body to be placed on a bed of ashes, and crossing his hands on his breast, with eyes uplifted to heaven, rendered his soul back to his Creator, at the very same hour that our Lord Jesus Christ expired on the Cross for the salvation of his people, passing from this life to another, the morrow after the feast of St. Bartholomew.'[1]

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[1] JOINVILLE'S *Life of St. Louis* (English translation), *ad fin.*: 'When the good king St. Louis had finished giving the above 'instructions to the lord Philip, his son, his disorder so greatly 'increased, that he asked for the sacraments of the Holy Church, 'which were duly administered to him, while he enjoyed full life 'and perfect memory. This was very apparent when they came 'to the unction; for when they chanted the seven penitential 'psalms, he himself repeated the responses with the assistants, 'who replied to the priest that was anointing him. I have since 'heard from my lord the Count d'Alençon, his son, that while the 'good king was in the agonies of death, he made efforts to call on 'all the saints in paradise to come and aid him in his distress. 'He, in particular, called on my lord St. James, repeating his 'prayer, which begins, 'Esto Domine.' He prayed to my lord 'St. Denis of France, in words that were nearly as follows:—"Lord '"God, give us grace to have the power of despising and forgetting '"the things of this world, so that we may not fear any evil." He 'called, likewise, on St. Geneviève. He then ordered his body to 'be placed on a bed of ashes, and crossing his hands on his 'breast, with eyes uplifted to heaven, rendered his soul back to 'his Creator at the very same hour that our Lord Jesus Christ 'expired on the Cross for the salvation of his people.'

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With the death of Louis IX., at once a king and a hero, a devout monk and a chivalrous man, frank, honest, gentle, affable, humane, who 'had lived like a saint, had taken good care of his kingdom, and done many religious acts towards God,' the seventh crusade, not more successful than any of those before it, came to an end. It was a melancholy ending to enterprises worthy of a better cause, in which so much of the best blood of Europe had been spilt, and spilt to little purpose. Yet nothing can show more clearly the change in the spirit of the age, than does the history of these crusades. Undertaken at first as holy wars, as wars in behalf of the spiritual side of the Holy Empire, they end at last as ecclesiastical wars, as wars undertaken in the interests of the Papacy; and the popularity which attached to them in the first ages dwindles away in proportion as they become directed to extraneous objects. The cry which raised them was the cry of suffering anguish: 'O God, the heathen are come into thine heritage; they have defiled thy temple; they have made Jerusalem an heap of stones!' The motive which set them on foot, was the desire to rescue Jerusalem upon earth in her conflict with Babylon. The memory of her glory was then fresher than now. The memory of her independence more recent.

But as time elapsed, and the papal pretensions increased, as the Popes aspired to higher place, and claimed to be regarded as the vicegerents of God upon earth, the cry is another one. It is no longer the cry of suffering, but the exultation of triumph. The watchword is henceforth another one: 'Let God

arise, and let his enemies be scattered ; and let them that hate Him flee before Him.' Nay more, it is no longer the triumph of a good cause merely, but of the Papacy, for the enemies of God and the enemies of the Papacy are identical. Henceforth the term crusade is no longer applied to the wars of united Christendom against the infidels, but to every petty feud undertaken with the sanction of the Pope, either for the purpose of advancing his own temporal well-being, or for the sake of punishing his enemies. Yet, looking back upon the crusades, and seeing how far they fell short of securing the objects for which they were undertaken, and how far they fall short of expressing the highest view of Christianity, it would still be a great mistake to suppose that they passed away without leaving any trace behind them in history. For did they not found the kingdom of Jerusalem,[1] which, during its eighty-eight years of duration, gave to Europe her noblest system of feudal jurisprudence ? Did they not establish a Latin Empire at Constantinople, which rudely disturbed the self-complacent dream of Eastern power, and maintained itself for fifty-six years in spite of opposition ? Did they not teach the sterner virtues of unselfishness and self-restraint, to a selfish and unrestrained age ; enforcing the lesson too by bright examples, a Godfrey of Boulogne, a Frederic Barbarossa, a St. Louis ? Did

[1] The kingdom of Jerusalem lasted from 1099 to 1187 ; the sovereigns who reigned over it were the following : (1) Godfrey of Boulogne ; (2) his brother, Baldwin I. ; (3) his cousin, Baldwin II. ; (4) Fulk, Count of Anjou ; (5) his son, Baldwin III. ; (6) his other son, Amaury ; (7) Baldwin IV., son of Amaury ; (8)

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they not, whilst purging Europe of its social dross, create the new feeling of chivalry?[1] Have they then passed away without a mark? Has their heroism been simply a prodigal waste of power?

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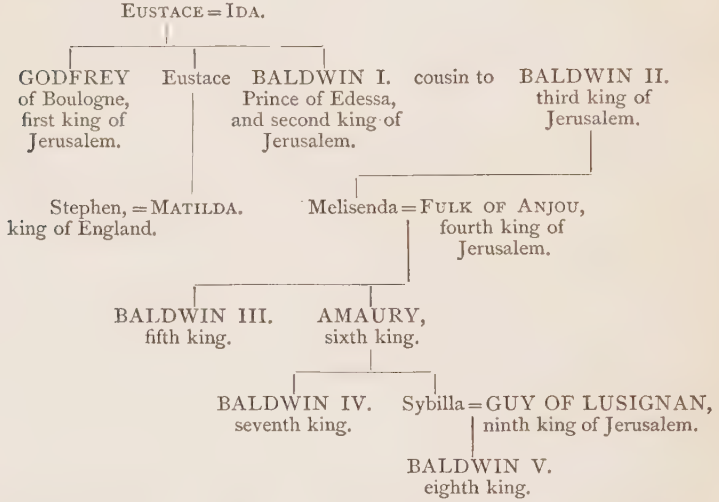
Baldwin V., nephew to Baldwin IV.; (9) Guy of Lusignan. The following is the genealogy:


EUSTACE = IDA.
GODFREY of Boulogne, first king of Jerusalem.
Eustace
BALDWIN I. Prince of Edessa, and second king of Jerusalem.
cousin to
BALDWIN II. third king of Jerusalem.
Stephen, king of England. = MATILDA.
Melisenda = FULK OF ANJOU, fourth king of Jerusalem.
BALDWIN III. fifth king.
AMAURY, sixth king.
BALDWIN IV. seventh king.
Sybilla = GUY OF LUSIGNAN, ninth king of Jerusalem.
BALDWIN V. eighth king.

[1] The feeling of chivalry is analysed by HALLAM, *Middle Ages*, vol. iii. pt. ii. ch. ix. p. 402, and the result obtained is this: '*Valour*, *loyalty*, *courtesy*, *munificence* formed collectively the character of an accomplished knight. . . . Yet something more was required for the perfect idea of chivalry, and enjoined by its principles; an active sense of *justice*, an ardent *indignation against wrong*, a determination of courage to its best end, the prevention or redress of injury.'

# CHAPTER XII.

## *INVESTITURES AND JURISDICTION: CLERICAL TAXATION.*

*Etenim sederunt principes et adversum me loquebantur.*—Ps. cxix. 23.[1]

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AMONG the various struggles which necessarily grew out of the attempt to realise the idea of the Holy Empire, none perhaps are more famous than those which arose respecting investitures and jurisdiction, none possess a deeper interest for the English reader, none involve more of the manifold relations of the Church to the State. The former of these struggles—that about investitures—revolves principally about two points—the possession of property by the Church, and the question of feudal symbols. The latter struggle about jurisdiction refers not only, as in the case of Henry II. and Becket, to the limits of the civil and ecclesiastical courts, but it includes the whole question of the rights which laymen possess over the property of the clergy, whether it be a right to decide who shall enjoy the revenues of a benefice, or the right enjoyed by sovereigns of taxing ecclesiastical property. Out of all these struggles the Popes came forth triumphant, not only rising to a supremacy over the princes of the earth, but draw-

[1] Becket at Northampton.

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ing into their own hands all civil government, and aspiring to be the supreme disposers of the Christian world with all its belongings. Since the possession of property was at the root of the struggles, both about investitures and jurisdiction, as well as of the less famous one about the taxation of the clergy, it may not be amiss to say a few words about the property of the Church.

A. *Property.* (1) *Real property.*

By the liberality of the northern nations the Western Church was in possession of considerable wealth, both personal and real, at the time when the Hildebrandian reforms began. The Carlovingian and Saxon emperors, the kings of England and Leon, had vied with their predecessors in bestowing on her in lavish benefaction, and the clergy were in consequence no strangers to wealth. Many churches possessed seven or eight thousand manses; one with only two thousand passed for indifferently rich.[1] Of the lands possessed by the clergy the greater part might be of little value at the time they had been given, perhaps consisting of wild and deserted tracts of country; but they were capable of cultivation and improvement; and as civilisation and population increased, they became a source of gain and profit. Not unfrequently, too, estates had been obtained by forged charters, laymen ignorant of writing being unable to detect the frauds of those who alone possessed the key of knowledge; and clerks being unwilling to betray their fellow-clerks. Besides, the

(a) *Grants.*

[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 142 (small edition).

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property of the Church, already considerable in the beginning of the eleventh century, was from a variety of causes greatly increased in the two succeeding centuries. Partly it had increased in value with the steady increase of population; partly it had been brought under prudent management and an improved style of agriculture. Large tracts hitherto unproductive, had been rescued from the marsh or the forest, and began to yield appreciable returns. If occasionally individual prelates alienated the estates of their churches, if Church property was occasionally plundered and diminished by feudal lords claiming the property of deceased bishops and the revenues of vacant benefices, these losses were amply compensated for by the continual purchase of landed estates during the crusades,[1] when the fiefs of the nobility were frequently offered for sale or mortgage, and few were able to purchase them. Thus the Church acquired still greater territorial possessions on the easiest of terms. Not unfrequently lay proprietors, in order to be exempted from public burdens, granted their estates to the Church, receiving them back by way of fief or lease; and in such cases the Church always took care to derive some profit for her services. Soon the accumulation of lands in the

(*b*) *Improved value.*

(*c*) *Purchase.*

(*d*) *Infeudation.*

[1] Eugenii III. Ep. i. ad Ludov. Reg. LABBÉ, xi. 1577: 'Qui-'cumque vero aere premuntur alieno, et tam sanctum iter puro 'corde inceperint, de praeterito usuras non solvant. . . . Liceat 'eis etiam terras sive ceteras possessiones suas, postquam commo-'niti propinqui sive domini, ad quorum feudum pertinent, pecu-'niam commodare aut noluerint aut non voluerint, Ecclesiis vel 'aliis quoque fidelibus libere sine ulla reclamatione impignorare.'

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(e) Restrictions.

hands of the clergy progressed so rapidly, that it excited the jealousy of sovereigns. In Kent, for instance, in the time of William the Conqueror, out of twelve landowners, eight were clerical; in Middlesex out of twenty-five, seven were clerical; in the county of Worcester out of twenty-six, ten were clerical; in Berkshire, fifteen out of sixty-three; in Devonshire, twelve out of fifty-three;[1] and the estates of the clerical proprietors were often far greater in size than those of the lay proprietors. Besides they were always being increased and hardly ever diminished. Hence the sovereigns experienced a falling off in the reliefs upon succession and other feudal dues; they found the number of their military nobles diminished, and saw great parts of their kingdoms in the hands of men, who paid them a half-hearted allegiance, and were really devoted to the
A.D. 1158 interests of another. As early as the middle of the twelfth century restrictions were placed in the Empire by Frederic Barbarossa on alienations in mortmain, as gifts to the Church were called.[2] Similar

[1] MILMAN, vol. ix. book xiv. ch. i. p. 16 (small edition), says that according to Doomsday in the whole county of Kent, besides the king and two churches, appear as landowners, '(1) the Archbishop of Canterbury; (2) the monks of Christ Church; (3) the Bishop of Rochester; (4) the Bishop of Bayeux; (5) the Abbey of Battle; (6) St. Augustine's; (7) Abbey of St. Peter's, Ghent; and (8) Albert the chaplain.' There were only four knights. The state of things in other countries was only a little better.

[2] HALLAM'S *Middle Ages*, vol. ii. pt. ii. ch. vii. p. 227. According to GIES. sec. 66, ch. iii. p. 215, the leaving of lands in mortmain was prohibited in Montpelier as early as 1113 A.D. It was also forbidden in Lübeck. In the year 1211 Alfonso II., king of Portugal, forbade churches and monasteries to acquire

restrictions were imposed in England by the great Charter, and again in the reign of Edward I. France, in the Establishments of St. Louis, followed the same course, as did also Castile; and by the end of the thirteenth century the Church was only allowed to acquire lands by special license from the crown.

(2) *Personal property.* (*a*) *Tithe.*

But the means by which the coffers of the Church were constantly kept replenished were not only derived from lands. They came also from several other sources. Chief among these was the payment of tithes, the gradual growth of which has been already traced in the preceding epoch. In the ninth century indications are found of legal sanctions for this payment; but it does not appear to have become universal until some time later.[1] Tithes were mostly paid to the bishop, and were by him distributed among his assistant clergy. Previously to the eighth century the cathedral churches were the only recognised churches; rural chapelries being served by itinerant ministers at the bishop's discretion; but in the early part of the ninth century there existed a large number of rural churches in England, which obtained by the bishop's concession a fixed share of ecclesiastical profits, and came to be viewed as

lands, except such as were needed for anniversaries and other duties for the dead: but the law was inoperative.

[1] Thus in Portugal it was recognised at the end of the eleventh century, and in the twelfth prevailed universally. SCHÄFER'S *Gesch. v. Port.* i. 167. In Castile and Leon it obtained force of law under Alfonso X. GIES. sec. 66, ch. iii. p. 213. In Denmark the payment was introduced by Canute the Saint in 1086, but not regularly observed till more than a century later. In Norway it was enforced by King Magnus in 1267. MÜNTER, ii. i. 37.

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distinct parishes. It also frequently happened that landowners diverted tithe, which had been originally paid to the bishop towards the support of particular churches, or to monastic foundations; and parishes distinct from capitular offices with revenues attached came into existence. The division of parishes as they now stand in England appears to have been settled before the Norman Conquest.[1] Still the payment of tithes was a thing of gradual growth, and the setting of them apart for the support of particular parishes was also a thing of gradual growth,[2] which did not attain its full development till the end of the twelfth century, when the obligations of tithe was extended from the simple fruits of the earth, or what are called predial tithes, to every kind of produce, to wool, and hay, to orchards, bees, and fisheries.[3]

*(b) Oblations.*

Another source of income was derived from the free donations and offerings of the laity. Some made oblations to the Church before entering on military expeditions; bequests were made by others in the terrors of dissolution. It became a pious

*(c) Intestacy.*

custom for a portion of the property of deceased persons to be granted to the clergy, to be distributed

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[1] COLLIER'S *Ecclesiastical History*, vol. i. book iii. ch. xi. p. 542.

[2] Concil. Melfit. an. 1090, Can. 5, LABBÉ, xii. 781: 'Nullus 'laicus decimas suas, aut ecclesiam aut quicquid ecclesiastici juris 'est, sine consensu episcopi, vel Romani concessione pontificis, 'monasteriis aut canonicis offerre praesumat.' Concil. Clarom. an. 1095, Can. 19, *ibid.* p. 831: 'Ne laici decimam partem de 'laboribus suis retineant.'

[3] See four letters of Alexander III. in Concil. Later. iii. an. 1179, LABBÉ, xiii. 477.

among the poor and needy; by degrees churches came to be ranked among the poor: and, as it was believed that the deceased would regard them with special favour, they absorbed the lion's share of the alms, until the other poor were forgotten altogether. Thus what at first was a pious custom, ended in being imposed as a compulsory tribute.[1] In general, however, and in the early part of the Middle Ages, the Church was liberal to the poor, and whatever might be the feelings of the king and the nobles, the people at large were pleased to see her in the possession of wealth. CHAP. XII.

(*d*) *Penances.*

That 'softening of penance belonging to wealthy men,' which had been discussed in the code of St. Dunstan, had in this epoch assumed formidable dimensions, and become another fertile source of gain to the Church.[2] The canonical penances im- A.D. 959

[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 143 (small edition).

[2] JOHNSON'S *English Laws and Canons*, i. 445–447; WILKINS' *Concil.* i. 238, 239: 'When the [wealthy] man fasts let him distribute to all God's poor all the entertainments which he should himself have enjoyed; and let him lay aside all worldly business for the three days of fasting; and frequent the church night and day as oft as possible, and watch there with alms-light, and call on God, and pray earnestly for forgiveness with weeping and wailing, and often kneel before the sign of the Cross, and sometimes in an erect posture, and sometimes prostrating himself on the ground. And let the great man learn diligently to shed tears from his eyes, and to weep for his sins; and let him feed as many poor as possible for those three days, and on the fourth day let him bathe them all, and distribute provision and money; and in his own person make satisfaction for his sins by washing of their feet. And let masses be said for him this day, as many as can possibly be procured; and at the time of the masses let

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posed upon repentant offenders, which in days of lawlessness would have taken more than an average lifetime to discharge, were allowed to be commuted for money payments. One day's fasting might be redeemed with a penny; a year's fasting with thirty shillings, or with freeing a slave that was worth that money.[1] Many in a glow of zeal vowed to go on a

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'absolution be given him, and then let him go to housel unless he 'be yet involved in so much guilt, that he ought not to receive 'it. . . .

'This is that softening of penances, which belongs to wealthy 'men and such as abound in friends; but one in a lower condition 'cannot make such dispatch; but therefore he must pursue it in 'his own person with greater earnestness. . . .

'*Infirm men, however, may redeem their fasting.*—One day's 'fasting may be redeemed with a penny or with two hundred 'psalms. A year's fasting may be redeemed with thirty shillings, 'or with freeing a slave that is worth that money. A man for one 'day's fasting may sing *Beati* six times, and six times *Pater Noster*. 'And for one day's fasting, let a man bow down to the ground 'with *Pater Noster* sixty times. And a man may redeem one 'day's fasting, if he will prostrate himself on all his limbs to God 'in prayer, and with sincere grief and sound faith sing fifteen 'times *Miserere mei Deus*, and fifteen times *Pater Noster*; and 'then his penance for the whole day is forgiven him.'

[1] GIBBON, vol. v. ch. lviii. p. 414, says: 'A modest sinner 'might easily incur a debt of three hundred years. His insolvency 'was relieved by a commutation or *indulgence*: a year of penance 'was appreciated at twenty-six *solidi* of silver, about four pounds 'sterling for the rich; at three *solidi*, or nine shillings, for the 'indigent.' MORINUS, *De Sacram. Poenitentiae*, lib. vii. ch. xi. p. 16: 'Itaque judicabatur grandè scelus viginti et quatuor asses.' *Ibid.* ch. xii. p. 3, gives the rules of Fulbert, Bishop of Carnutum, who died 1028: 'Si quis hominem occiderit sponte, septem annis 'poeniteat; si immeritum decem annis poeniteat; si Diaconum 'quatuordecim annis; si presbyterum, uno et viginti annis poe- 'niteat. Si quis hominem non sponte occiderit, tribus annis; si 'publico bello, uno anno. . . . Si quis fornicatur inter femora

crusade, but when the first ardour had cooled down were glad to purchase exemption. Many, to atone for their sins, set out on pilgrimages to well-known shrines;[1] and as the clergy had not failed to inculcate that no atonement could be so acceptable to heaven as liberal presents, large offerings were presented at such churches by the remorse of repentance. At A.D. 1300 Rome, in the year of Jubilee, two priests stood with rakes in their hands sweeping the uncounted gold and silver from the altars. Similar accounts are given of the lavishness with which at favourite shrines—that of St. Thomas à Becket, for instance—wealth was poured into the hands of the clergy.[2] Well might the bishops and clergy, with such large possessions and such fertile resources, become objects of suspicion to their sovereigns, and objects of envy to their fellow nobles. Well might the emperor and the King of England, in order to prevent such an influence being thrown into the hands of men hostile to themselves, require to be allowed to recommend trusty persons for bishoprics, and demand from the persons appointed an oath of fealty and homage, as in the case of other barons. Yet out of these

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'semel, quatuor Quadragenis poeniteat; si consueverit tribus 'annis. . . . Si quis adulterat simpliciter, quinque annis poeni-'teat; si dupliciter, decem annis. . . . Si quis nonnam corruperit, 'septem annis; si quis consanguineam quinque annis.' Extensive regulations on price, apud MORINUS, lib. x. cap. xvi.

[1] According to MORINUS, *De Sac. Poen.* lib. vii. ch. xv., pilgrimages and the profession of monasticism were among the oldest kinds of penance.

[2] MILMAN, vol. ix. book xiv. ch. i. p. 23.

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just demands arose the famous struggle respecting investiture.

B. *Investitures.*

(1) *Causes of the struggle. Property and Feudal emblems.*

The possession of property by the Church was, as has been seen, the primary cause of this struggle, which was carried on in Germany and England at the close of the eleventh and the beginning of the twelfth century. Nevertheless, the struggle really broke out about the symbols incidental to feudal tenures. Investiture by the lord and an oath of fealty by the tenant, which were necessary in the case of all lay barons, had as early as the time of Charlemagne been required of ecclesiastics before they were admitted to the temporalities of a see;[1] but whereas fealty and homage were required of a lay baron, the symbols used in the investiture of ecclesiastics were the ring and the crozier.[2] For more than two centuries the practice had continued without exciting scandal or resistance, when exception was taken to it by Gregory VII. In France only, where the ring and the crozier were not in use, no such struggle occurred, although the possessions of the Church were not less there than elsewhere. In England and Germany the struggle was waged most fiercely.

(2) *Beginning of the struggle.*

The gauntlet was thrown down by Gregory VII. at the beginning of the year 1075. A decree was promulgated in a synod held at Rome that, if any bishop, abbot, or inferior ecclesiastic should receive

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[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 181.

[2] LINGARD, vol. ii. ch. i. p. 7; CHURCH'S *Essays and Reviews*, p. 176; HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 185.

investiture from any lay person, his appointment should be considered null and void. He was cut off from communion with St. Peter, and forbidden to enter the Church until he should have abandoned the place so acquired. Moreover, any emperor, duke, marquis, count, or secular potentate who should presume to grant such investiture was condemned in a similar penalty.[1] Twelve years later this decree was renewed by Gregory's successor, Victor III.,[2] and again, three years later, by Urban II. in a still more stringent form.[3] The latter occasion was well chosen. CHAP. XII. A.D. 1087 1090

During the lifetime of Gregory other and more important subjects, however, occupied the attention of the Pope as well as that of the emperor; Victor III.'s

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[1] See the decree already quoted, Chap. VII. (note). The concluding clause is: 'Item si quis Imperatorum, Regum, Ducum, 'Marchionum, Comitum, vel quilibet saecularium potestatum vel 'personarum, investituram episcopatuum vel alicujus ecclesiasticae 'dignitatis dare praesumserit, ejusdem sententiae vinculo se adstric-'tum sciat.' See also GIES. vol. iii. sec. 47, p. 14; NEAND. vii. 135.

[2] Concil. Benev. an. 1087, LABBÉ, xii. 710.

[3] Concil. Melfit. an. 1090, Can. 11, LABBÉ, xii. 781: 'Ne gra-'vamen aliquod sancta patiatur ecclesia, nullum jus laicis in cleri-'cos esse volumus et censemus. Unde cavendum est, ne servilis 'conditionis, aut curialium officiorum obnoxii ab episcopis promo-'veantur in clerum. Neque liceat laicis exactionem aliquam pro 'ecclesiae beneficiis aut paternis maternisve facultatibus quaerere. 'Quod si forte clericorum aliquis cujuslibet laici possessionibus 'usus fuerit, aut vicarium qui debitum reddat inveniat, aut posses-'sione cadat.' Concil. Clarom. an. 1095, Can. 161, *ibid.* p. 831: 'Interdictum est, ne reges vel alii principes aliquam investituram 'de ecclesiasticis honoribus faciant.' Can. 17: 'Ne episcopus 'vel sacerdos regi vel alicui laico in manibus ligiam fidelitatem 'faciat.'

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life was spent in exile, from whence he might issue decrees, but was powerless to enforce them; and Urban II. was not in a much better condition during the earlier years of his administration. But the same enthusiasm which brought Urban II. back to Rome, gained respect for his decision, and whilst Urban was in power no attempt at any compromise was made. It was otherwise on the accession of his successor, Paschal II. His name is prominently connected with the question of investitures both in England and Germany.

(3) *Struggle in England.*

(a) *William the Conqueror.*

A.D. 1066–1087

In England William the Conqueror had maintained his supremacy over the Church with an iron arm. Thus no one was allowed to acknowledge the Pope, when chosen, except by the king's permission; no one might receive letters from Rome, unless they had been previously shown to him for approval. The archbishop was not permitted to frame any canon, although with the assistance of the bishops of the realm, unless it had been previously sanctioned by the sovereign.[1] Nor was any bishop allowed to

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[1] EADMERI *Historia novorum*, lib. i. apud Anselmi *Op.* ed. GERBERON, p. 29: 'Cuncta ergo divina simul et humana ejus 'nutum expectabant. Non ergo pati volebat, quenquam in omni 'dominatione sua constitutum Romanae urbis Pontificem pro 'apostolico, nisi se jubente, recipere; aut ejus literas, si primitus 'sibi ostensae non fuissent, ullo pacto suscipere. Primatem quo- 'que regni sui, Archiepiscopum dico Cantuariensem, si coacto 'generali Episcoporum concilio praesideret, non sinebat quicquam 'statuere aut prohibere, nisi quae suae voluntati accommoda et a 'se primo essent ordinata. Nulli nihilominus Episcoporum suo- 'rum concessum iri permittebat, ut aliquem de Baronibus suis seu 'Ministris, sive incesto, seu adulterio, sive aliquo capitali crimine

CHAP. XII.

A.D. 1087–1100

excommunicate a baron or minister of the crown, on any charge, without having first obtained the king's consent.[1] The same policy was pursued by his son William Rufus without any difficulties being raised on the part of the Popes. They had too many reasons for conciliating the friendship of the Normans in Italy to venture to oppose their wishes in England. Anselm had to bear alone the whole brunt of the indignation of Rufus and Henry I., when they felt their prerogatives invaded by the Pope's prohibition of lay investiture.

(*b*) *William Rufus and Anselm.* 1093

More than twenty-five years have elapsed since the conquest of England by William the Bastard. The gentle, unworldly monk and philosopher, Anselm, is Archbishop of Canterbury; the avaricious and profligate William Rufus is on the throne, having just recovered from his illness, and having lost his former remorse.[2] Accustomed to be flattered on all sides, to have his every word taken for absolute law, the impetuous Norman could ill brook the gentle obstinacy of Anselm, who had allowed seven months to elapse before he would consent to do homage to the king; and he had already formed a plan for

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'denotatum, publice nisi ejus praecepto implacitaret aut excom-
'municaret, aut ulla ecclesiastici rigoris poena constringeret.'

[1] After the conquest, bishops and abbots of English birth had been deposed with the concurrence and full sanction of the Pope to make way for others in the Norman interest. See HALLAM'S *Middle Ages*, vol. ii. pt. ii. ch. viii. p. 305 (small edition).

[2] Anselm was Archbishop of Canterbury from 1093 to 1109 A.D. William Rufus reigned from 1087 to 1100 A.D. Henry I. from 1100 to 1135 A.D. Anselm's episcopate, therefore, falls in both reigns.

PART II.

subduing the independent spirit of the archbishop. Anselm was summoned to answer in the king's court, and being unable to supply the demands of the king for money, William swore that he would never acknowledge him as archbishop, and charged him with a breach of allegiance for acknowledging Urban II. as Pope, before Urban had been acknowledged by himself. For this offence he endeavoured to prevail on the other prelates to depose him. This time he failed in his attempt. But those two acts of Anselm—his hesitation upon doing homage to the king and his independent recognition of Urban II.—had embittered the mind of William against him for ever; and he was forced to leave England. To Rome he removed, where his cause was feebly taken up by the Pontiff, and from Rome he repaired to the Archbishop of Lyons. Soon the death of Urban, and the death of William in the following year, occurred to put an end to the first act in the dispute.[1] Anselm was able to return to his see.

A.D. Oct. 1099 Aug. 1100

(c) *Henry I. and Anselm.* 1100

On the accession of Henry I.,[2] the dispute was for a time in abeyance. It is true, that at his first interview with the king, Anselm had declared his inflexible determination to abide by the laws passed against lay investiture,[3] and the king had avowed an

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[1] For a fuller account, see LINGARD, vol. i. ch. ix. p. 272; CHURCH'S *Essays and Reviews*. Anselm stopped with the Archbishop of Lyons until he was recalled by Henry.

[2] The relationship of the English sovereigns, see p. 396.

[3] Anselm during his exile had been present at the councils of Bari, 1097, and Rome, 1098 A.D. At the former he is said to have

equally fixed determination to retain what he considered the lawful prerogative of his crown. But Henry was aware that his own position was a critical one,[1] and could not at the moment hazard a rupture with the primate. Without waiving his rights, the controversy was for the moment suspended by being referred to the Pope, and Henry, no doubt, hoped to be able to extort from the gratitude of the Pope an answer favourable to himself.

In this hope he was, however, disappointed. Message after message was sent to Rome, and answer after answer returned to England; artifices were employed to deceive, and expedients suggested to mollify Anselm, till at last, by the king's request, the archbishop undertook a journey to Rome to lay the whole controversy before the Pope. Suddenly, when he was returning, and had reached Lyons, Henry's delegate communicated to him his master's wishes. The king earnestly desired his return to England if he was willing to do all that his predecessors had done to former kings. Anselm could not mistake the purport of the message, and for the second time was obliged to take refuge under the hospitable roof of the Archbishop of Lyons. After

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interceded in behalf of William Rufus. The latter council allowed William Rufus a longer time for repentance. LABBÉ, xiii. 951; See LING. vol. ii. ch. i. p. 8.

[1] Robert, Duke of Normandy, was his elder brother, and had therefore a better claim to the crown, although he was expressly excluded by his father's will. Besides Henry the Clerk and Scholar was despised by the Norman barons. To secure his throne he was obliged to conciliate the people, and above all to conciliate the clergy.

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waiting a year and a half, criticised, mistaken, molested alike by friends and foes, Anselm's patience was at length exhausted, and Henry was admonished that within a few weeks the sentence of excommunication, which had been already pronounced on his advisers, would be pronounced against himself. Henry was not prepared for excommunication at this crisis. His people were disaffected. At the Abbey of Bec he met Anselm, and there, in the true spirit of conciliation, the king, allowing that the ring and crosier denoted spiritual jurisdiction, renounced all sorts of investitures, and Anselm, admitting that fealty and homage were civil duties, consented that they should be exacted from every clergyman before he received the temporalities. The agreement was solemnly proclaimed at a synod in London in 1107.[1] By it Henry, whilst surrendering an unnecessary ceremony, retained a substantial power; and Anselm's scruples were set at rest by a letter from Paschal, in which he frees those who had received lay investiture from the penalties pronounced by his predecessor.[2]

A.D. 1106

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[1] EADMAR ap. LABBÉ, xii. 1137: 'Dehinc praesente Anselmo, 'adstante multitudine, annuit rex et statuit, ut ab eo tempore in 'reliquum nunquam per donationem baculi pastoralis vel annuli 'quisquam de episcopatu vel abbatia per regem vel quamlibet 'laicam manum investiretur in Anglia: concedente quoque An- 'selmo, ut nullus in praelationem electus, pro hominio quod regi 'faceret, consecratione suscepti honoris privaretur.'

[2] Pasch. ii. Ep. xvi. ad Anselmum, LABBÉ, xii. 990: 'Te 'autem in Christo venerabilis et carissime frater, ab illa prohi- 'bitione, sive, ut tu credis, excommunicatione absolvimus, quam 'ab antecessore nostro sanctae memoriae Urbano papa adversus

CHAP. XII.

(4) *Kings of Castile.*

Still more fortunate than the English kings were the kings of Castile, who, by discreetly yielding when Urban's decree was first published, obtained from him an absolute privilege of nomination to all bishoprics in their dominions—a privilege which they have since retained by virtue of a particular indulgence renewed by the Pope for the life of each prince.[1]

(5) *Empire.* (a) *Henry IV. and Paschal II.*

But in Germany the struggle about investitures was waged most fiercely, and there it also continued longest. Not only had Paschal II. begun his career by denouncing lay investiture as strongly as his predecessor, Urban II., but he had also followed the tactics of Urban in his struggle with the emperor, Henry IV., by instigating the emperor's second son, Henry, to rebellion against his father. When, therefore, Henry IV. died in 1106, the Pope might well think that he was sure of success, and that the young emperor, Henry V., would yield the points in dispute. He might almost seem to be justified in triumphantly boasting that 'the Church had now risen again to true liberty, since, by the grace of God, the authors of this iniquity had been taken away.'[2]

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'investituras aut hominia factam intelligis. Tu vero eos qui aut 'investituras accepere aut investitas benedixere, aut hominia 'fecere, cum ea satisfactione . . . suscipito, et eos vice nostrae 'auctoritatis absolvito.'

[1] HALLAM'S *Middle Ages*, vol. ii. pt. i. ch. vii. p. 190 (small edition).

[2] Concil. Guastallense, an. 1106, cap. al. LABBÉ, xii. 1127: 'Jamdiu a pravis hominibus tam clericis quam laicis, catholica est 'ecclesia conculcata; unde plura nostris temporibus schismata 'et haereses emerserunt. Nunc autem per Dei gratiam, hujus 'nequitiae deficientibus auctoribus, in ingenuam libertatem resur-

PART II.

(*b*) *Henry V. and Paschal II.*

Yet how empty was that boast! He had not to wait long before he discovered its vainness. For Henry V. was no sooner in undisputed possession of the throne, than he maintained as stoutly as his father had done his own right to invest bishops. When he was unable to bring the Pope to the same way of thinking by a conference at Chalons, he resorted to arms. When he appeared in Italy, the Pope in terror gave way, and concluded with him a compact. When the German bishops refused to sanction that compact, Paschal II. yielded to a new agreement, granting investiture to the emperor. Finally, when this agreement was disapproved by the Hildebrandian party, nothing remained for Paschal, weak and vacillating Paschal, but to annul the grant[1] and to assemble a council in the Lateran, and to plead before it that the agreement had been concluded under the pressure of circumstances, in order to save the cardinals and the city of Rome; that it was beyond his power to surrender any of the liberties and rights of the Church; that it was for the assembly to examine the agreement and pronounce thereupon; but that for himself he would adhere to his oath, and undertake nothing personally against Henry. Thus Paschal pleaded; and thus he excused his own wavering, and, as his temporising policy deserved, he died in banishment. The coun-

A.D. 1107

April 1111

1112

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'git.' See also the letter of Paschal to Henry V., Ep. xxii. LABBÉ, xiii. 993.

[1] According to GIES. iii. 40, this took place in 1111; according to LABBÉ, xiii. 1155, it took place at the Synod of Capua, an. 1110.

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cil reversed the agreement.[1] It was the legitimate consequence of Boniface's oath.

A.D. Jan. 21 1118 (c) *Henry V. and Calixtus II.*

The glory of concluding the long-protracted struggle was reserved for Calixtus II., but not before one preliminary contract had been concluded and as soon violated, nor before the utterance of a sentence of excommunication and dethronement on Henry V. at the great synod at Rheims.[2] By that preliminary contract Henry had renounced the investiture of churches, and the Pope had promised him peace.[3] Upon second thoughts, however, they relented. The Pope decided that the imperial fief should still remain attached to the prelacies, whilst the emperor maintained that no fief could be bestowed without feudal investiture. Thus the struggle was renewed: the disturbances in Germany grew more dangerous; Calixtus II. was once more master of

1119

[1] Concil. Lateran. an. 1112, LABBÉ, xii. 1165: 'Privilegium 'illud, quod non est privilegium . . . pro liberatione captivorum, 'et ecclesiae a domino Papa Paschali per violentiam Henrici regis 'extortum, nos omnes in hoc sancto concilio cum eodem domino 'papa congregati, canonica censura et ecclesiastica auctoritate, 'judicio sancti Spiritus damnamus et irritum esse judicamus, atque 'omnino cassamus, et nequid auctoritatis et efficacitatis habeat 'penitus excommunicamus.'

[2] Concil. Remens. an. 1119, LABBÉ, xii. 1291.

[3] In Hessonis Scholastici Descripta Concil. Remen. an. 1119, LABBÉ, xii. 1302, it is quoted as follows: 'Ego Henricus, Dei 'gratia Romanorum Imperator Augustus, pro amore Dei et beati 'Petri, et domini papae Calixti, dimitto omnem investituram om- 'nium ecclesiarum et do veram pacem. . . .

'Ego Calixtus secundus, Dei gratia Romanae ecclesiae epi- 'scopus catholicus, do veram pacem Henrico Romanorum impera- 'tori augusto, et omnibus qui pro eo contra ecclesiam fuerunt vel 'sunt: . . .'

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Rome, the antipope his prisoner. The Pope's demands were severer than ever. Still Henry refused to yield. At length the course which had been pointed out by Ivo of Chartres,[1] and the monk Hugo of Fleury,[2] began to commend itself to both parties, now growing weary of the struggle. It was an intermediate course between the extreme views of the Gregorian party on the one hand, and the secularising tendencies of their opponents on the other. It combated the Gregorian position that it was a degradation for the priesthood to own itself subject to any lay authority, and held fast to the principle that to God must be rendered that which is God's and to Caesar that which is Caesar's. It therefore maintained that the king ought not to invest the candidate bishop with staff and ring, these being the symbols of spiritual jurisdiction, and, as such, belonging to the archbishop; but it allowed homage to be done to the emperor, and the use of some other symbol for bestowing the temporalities. In September, 1122, was concluded the Concordat of Worms, which finally settled the question of the investitures. Henry, from love to God and for the welfare of his soul, releases to God and to his apostles, St. Peter and St. Paul, all investiture by ring and staff, and

A.D. Sept. 1122

[1] See Ep. 69, an. 1099, of Ivo to Hugo, Archbishop of Lyons.

[2] Hug. Floriacensis Tract. de regia potest. etc. in BALUZ. *Miscell.* iv. 5: 'Post electionem autem non annulum aut baculum 'a manu regia, sed investituram rerum saecularium electus antistes 'debet suscipere, et in suis ordinibus per annulum aut baculum 'animarum curam ab Archiepiscopo suo: ut negotium hujusmodi 'sine disceptatione agatur, et terrenis et spiritalibus potestatibus 'suae auctoritatis privilegium conservetur.'

pledges himself to restore the possessions and temporalities of St. Peter; Calixtus allows the elections of bishops and abbots within the Empire to take place in Henry's presence, free from simony and violence, and permits the persons elected to receive the temporalities by investiture with the sceptre. In the following year this concordat was ratified by the first Lateran Council.[1] Henceforth the imperial influence in episcopal elections came into vogue which Otto IV. and Frederic II. had to disclaim as a right.[2] Henceforth the feudal obligations of the prelates were so fully acknowledged that not even Innocent III. ventured to call them in question.

C. *Struggle for jurisdiction in England.*

The rivalry, however, between the secular and ecclesiastical authorities was too deeply seated to be extinguished by the compromise arrived at on the subject of investitures. It could not fail to show itself in other matters also wherever the provinces

[1] Concil. Later. i. an. 1123, LABBÉ, xii. 1338: 'Ego Henricus, 'Romanorum Imperator, pro amore Dei et sanctae Romanae 'ecclesiae et domini papae Callisti, et pro remedio animae meae, 'dimitto Deo, et sanctis ejus apostolis Petro et Paulo, et sanctae 'Catholicae ecclesiae, omnem investituram per annulum et bacu-'lum, et concedo in omnibus ecclesiis fieri electionem et liberam 'consecrationem. Possessiones et regalia beati Petri, quae a prin-'cipio hujus discordiae usque ad hodiernam diem, sive tempore 'patris mei, sive etiam meo ablata sunt, quae habeo . . . restituo, 'quae autem non habeo, ut restituantur fideliter, adjuvabo.

'Ego Callistus, servus servorum Dei, tibi dilecto filio Henrico 'Dei gratia Romanorum Imperatori augusto, concedo electiones 'episcoporum et abbatum Teutonici regni, quae ad regnum perti-'nent, in praesentia tua fieri, absque simonia et aliqua violentia. '. . . Electus autem regalia per sceptrum a te accipiat, exceptis 'omnibus quae ad Romanam ecclesiam pertinere noscuntur.'

[2] GIES. ch. iii. sec. 63, p. 190.

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of Church and State overlapped. Within the Empire itself, the rivalry added fuel to the engrossing disputes of Popes and antipopes, emperors and rival emperors. It was in fact coloured by the political struggles which distracted the Empire. Nor was it otherwise in England—a country not distracted like Germany, between adherents of rival Popes, but agitated between English and Norman sympathies; the bulk of the population being English, the greater part of the nobles being Normans. Here, too, it assumed the colouring of its political surroundings, and embittered the political rivalries of the kingdom. Nor was it a matter of no importance that Thomas à Becket, the leader of the clerical party in the struggle for ecclesiastical jurisdiction with the Norman king, Henry II., was the first Englishman who had risen to distinction since the Conquest. This fact gave to the struggle a national character. It was not therefore simply a struggle between ecclesiastical and lay jurisdiction—between the Church and the State—but it was a struggle between Englishmen and Normans. On the side of the Church was Becket, an Englishman himself,[1] a leader of the English party, whose name long after his death was held in highest esteem in England, whose shrine was the favourite one for pilgrims. On the side of the state was Henry II., an Angevin by birth, but yet through his mother a descendant of the Conqueror, supported by Norman barons, and anxious

[1] LORD LYTTLETON'S *History of Henry II.* vol. ii. p. 22; HALLAM'S *Middle Ages*, vol. ii. pt. ii. ch. viii. p. 306.

to make the Norman courts, in which justice could never be obtained without purchase (if it could be obtained at all by Englishmen), the sole tribunals in the country. Hence the joy of the English when he had to do penance at the tomb of the martyred ecclesiastic and Englishman. Hence the enthusiasm which Becket's name inspired among the people.

(1) *Causes of the struggle.*

(a) *Jurisdiction of ecclesiastical courts.*

Difficult though it may be to fix the original ground of dissension between Henry and his archbishop, it is sufficiently clear that the circumstance which brought the two into immediate collision, was a controversy respecting the jurisdiction of the ecclesiastical courts. These courts were new in England. Not as in the Empire, where since the days of the great Charles ecclesiastical courts existed side by side with the secular tribunals, in England the decision of causes, both lay and ecclesiastical, had originally rested with a mixed tribunal, consisting of laymen and bishops together.[1] Only recently, since

[1] In England before the Conquest the bishops had always heard and decided spiritual causes in the courts of the hundred. William disapproved of the custom, and authorised them to establish tribunals of their own, commanding the sheriffs to compel obedience to the citations of the ecclesiastical judge. See LINGARD, vol. i. ch. viii. p. 247. These Courts Christian were not abolished by Henry I., as Blackstone supposes. See LINGARD, vol. ii. ch. iii. p. 63. On the contrary, they soon obtained a marked superiority over secular courts, partly because they proceeded on fixed principles—such as the collection of Isidore, that of Burchard of Worms, that of Ivo of Chartres, and after the year 1151 the Decretum of Gratian (HALLAM, *Middle Ages*, vol. iii. pt. ii. ch. ix. p. 415)—partly because the clerical judges were men of talent and education, which the lay judges were not; and most of all because they were less biassed by fear and favour

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the Conquest, had the two branches of judicature been separated and ecclesiastical tribunals brought into existence. But the working of the Christian Courts was new, and as yet their province was not strictly defined; or rather it varied as the earlier kings from time to time relaxed or tightened their hold on the Church. In the troubles under Stephen, however, the clergy had greatly increased in power. They were therefore not disposed to yield the prerogatives which they had acquired, at the bidding of a king like Henry II. Moreover, the elevation of Thomas à Becket to the see of Canterbury came for them most opportunely, since it supplied them with a champion able and willing to defend these prerogatives against the king.

*(b) Question of criminal jurisdiction.*

The struggle broke out more particularly on a question of criminal jurisdiction. The punishment which the ecclesiastical courts had imposed on Philip de Brois, canon of Bedford, when convicted of manslaughter, seemed altogether inadequate to the greatness of his offence. When killing a deer was punished with loss of eyesight, a pecuniary fine for killing a man seemed no punishment at all. The somewhat severer punishment which the ecclesiastical courts afterwards imposed on the same canon for using expressions of insult and contempt to the king's justiciary, Fitz-Peter, seemed also inadequate to a sovereign already chafing against the jurisdiction of the ecclesiastical courts. To appease the

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than the secular courts. They accordingly rapidly gained in popularity. HALLAM'S *Middle Ages*, vol. ii. pt. ii. ch. vii. p. 202.

king for the indignity offered to himself in the person of his justiciary, the canon was condemned to a public whipping, and to suspension for two years. But it was all to no purpose, Henry would not be appeased. He revolted against the leniency of the ecclesiastical courts, and at Westminster addressed a demand to his assembled bishops, that whenever a clergyman had been degraded for a public crime by the sentence of the spiritual judge, he should be immediately delivered into the custody of a lay officer to be punished by the sentence of a lay tribunal. In itself the demand was not an unreasonable one. It allowed to ecclesiastical courts the jurisdiction they already possessed, but it sought to make the penalties imposed on ecclesiastics as severe as those to which laymen were subject. Nevertheless, with the ideas then prevalent as to the powers and rights of the clergy, it was tantamount to an attack upon them. It was an attempt to subvert a generally received position, and to lower the clergy in order to give more power to the sovereign.[1]

A.D. 1162

*(c) Question of the custom.*

In this light it was regarded by the bishops, and, as might have been anticipated, it met with a refusal. But Henry was determined to gain his point, and adroitly changing his ground, preferred a second question, 'Whether the bishops would promise to observe the ancient customs of the realm?' The first demand was now dropped altogether, and the point which henceforth becomes the watchword of the dispute is the observance of the customs of the realm.

[1] LINGARD, vol. ii. ch. iii. p. 65.

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The question was an ingenious one, and involved an ambiguity, and was no doubt put in the hope of entrapping the clergy on the horns of a dilemma. For although, when Becket afterwards asked what the customs of the realm were, no definite reply could be given him till a commission had been appointed, so that the clergy would have been giving in their adherence to an unknown quantity: yet it required no great knowledge of the events of the preceding reigns to perceive that the powers of the clergy had been far less under the three first Norman monarchs than they now were or claimed to be. But the bishops were alive to Henry's ruse; and, bent on maintaining their newly acquired power, they returned an ambiguous answer, declaring their willingness to observe the customs, 'saving their order.' This answer only embittered Henry more than before. Threats and promises, hope and fear, were freely employed. At length the obnoxious clause was withdrawn, and even the archbishop, sacrificing his own judgment to the entreaties of his fellow bishops, reluctantly gave way, promising on the word of truth to observe the 'customs.' Success seemed to have crowned Henry's attempt.

*(2) Course of the struggle.*

*(a) The Constitutions of Clarendon.*

A.D. 1164

But no sooner had those customs been ascertained by a committee of inquiry, and the famous sixteen Constitutions of Clarendon[1] been exhibited, and sub-

[1] The sixteen Constitutions of Clarendon, Concil. Claren. an. 1164, LABBÉ, xiii. 318, are as follows:

'(1) De advocatione et praesentatione ecclesiarum si contro-
'versia emerserit inter laicos, vel inter clericos et laicos, vel inter

scribed by the king, the prelates, among them the archbishop, and thirty-seven barons, than Becket's



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'clericos et clericos, in curia domini regis tractetur et terminetur.' —*Condemned by Alexander III.*

'(2) Ecclesiae de feudo domini regis non possunt in perpetuum 'dari absque assensu et concessione ipsius.—*Tolerated.*

'(3) Clerici citati et accusati de quacumque re, moniti a justitia 'regis, venient in curiam ipsius, responsuri ibidem de hoc, unde 'videbitur curiae regis, quod sit ibi respondendum. Ita quod jus- 'titia regis mittet in curiam sanctae ecclesiae ad videndum, qua 'ratione res ibi tractabitur; et si clericus convictus vel confessus 'fuerit, non debet de cetero eum ecclesia tueri.—*Condemned.*

'(4) Archiepiscopis, episcopis, et personis regni, non licet exire 'de regno absque licentia domini regis. Et si exire voluerint, si 'domino regi placuerit, assecurabunt, quod nec in eundo, nec in 'moram faciendo, nec in redeundo, perquirent malum vel damnum 'domino regi vel regno.—*Condemned.*

'(5) Excommunicati non debent dare vadium ad remanens, nec 'praestare juramentum, sed tantum vadium et plegium standi 'judicio ecclesiae, ut absolvantur.—*Condemned.*

'(6) Laici non debent accusari nisi per certos et legales accusa- 'tores et testes in praesentia episcopi: ita quod archidiaconus 'non perdat jus suum, nec quidquam quod inde habere debeat. 'Et si tales fuerint qui culpantur, quod non velit nec audeat 'aliquis accusare eos: vicecomes requisitus ab episcopo faciet 'jurare duodecim legales homines de visueto, seu de villa coram 'episcopo, quod inde veritatem secundum conscientiam manifes- 'tabunt.—*Tolerated.*

'(7) Nullus qui de rege teneat in capite, nec aliquis domini- 'corum ministrorum ejus, excommunicetur, nec terrae alicujus 'eorum sub interdicto ponantur, nisi prius dominus rex si in terra 'fuerit, conveniatur, vel justitia ejus, si fuerit extra regnum, ut 'rectum de ipso faciat, et ita ut quod pertineat ad curiam regiam, 'ibidem terminetur, et de eo quod spectabat ad ecclesiasticam 'curiam, ad eundem mittatur, ut terminetur.—*Condemned.*

'(8) De appellationibus, si emerserint, ab archidiacono debent 'procedere ad episcopum, et ab episcopo ad archiepiscopum: et 'si archiepiscopus defuerit in justitia exhibenda, ad dominum 'regem perveniendum est postremo, ut praecepto ipsius in curia

PART II.

conscience smote him for the deed he had done. He had pledged himself to observe the Constitutions,

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'archiepiscopi controversia terminetur, ita quod non debeat 'ulterius procedere absque assensu regis.—*Condemned.*

'(9) Si calumnia emerserit inter clericum et laicum, vel e con- 'verso, de ullo tenemento, quod clericus velit ad eleemosynam 'attrahere, laicus vero ad laicum feudum: recognitione duodecim 'legalium hominum, per capitalis justitiae regis considerationem 'terminabitur, utrum tenementum sit pertinens ad eleemosynam, 'sive ad feudum laicum coram ipsa justitia regis. Et si recog- 'nitum fuerit ad eleemosynam pertinere, placitum erit in curia 'ecclesiastica; si vero ad laicum feudum, nisi ambo tenementum 'de eodem episcopo vel barone advocaverint, erit placitum in 'curia regia. Si uterque advocaverit de feudo illo eundem epi- 'scopum vel baronem, erit placitum in curia ipsius, ita quod prop- 'ter factam recognitionem saisinam non amittat qui prius saisitus 'fuerat.—*Condemned.*

'(10) Qui de civitate vel castello vel burgo vel dominico 'manerio regis fuerit, si ab archidiacono vel episcopo de aliquo 'delicto citatus fuerit, unde debeat eidem respondere, et ad cita- 'tiones eorum satisfacere noluerit: bene licet eum sub interdicto 'ponere, sed non debet excommunicari, priusquam capitalis mini- 'ster regis villae illius conveniatur, ut justitiet eum ad satisfactio- 'nem venire. Et si minister regis inde defecerit, ipse erit in 'misericordia regis, et exinde poterit episcopus ipsum accusatum 'ecclesiastica justitia coercere.—*Condemned.*

'(11) Archiepiscopi, episcopi, et universae personae regni, qui 'de rege tenent in capite, habeant possessiones suas de dominio 'regis, sicut baroniam, et inde respondeant justitiariis et ministris 'regis, et sequantur et faciant omnes consuetudines regias et recti- 'tudines: et sicut ceteri barones, debent interesse judiciis curiae 'domini regis cum baronibus, quousque perveniatur in judicio ad 'diminutionem membrorum, vel ad mortem.—*Allowed.*

'(12) Cum vacaverit archiepiscopatus, vel episcopatus, vel 'abbatia, vel prioratus de dominio regis, debet esse in manu ejus, 'et inde percipiet omnes reditus et exitus, sicut dominicos. Et 'cum ventum fuerit ad consulendum ecclesiae, debet dominus rex 'mandare potiores personas ecclesiae, et in capella ipsius debet 'electio fieri assensu regis, et consilio personarum regis, quas ad

and yet many of them went against what he conceived to be the rights of the Church. Amongst other things it was enacted by the Constitutions, that the custody of every vacant archbishopric, bishopric, abbey or priory of royal foundation should be given, and its revenues paid, during a vacancy, to the king, and that the election of a new incumbent should be made in consequence of the king's writ by the chief clergy assembled in the king's chapel, with the assent of the king, and the advice of such clergy as the king might call to his assistance. It was further enacted that in every suit in which a clergyman was concerned, proceedings should commence before the king's justices, who should determine whether the cause ought to be tried in the secular or episcopal courts, and that in the latter case, if he were convicted in a criminal action, he should lose the benefit of clergy. It was ordained that no tenant-in-chief of

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'hoc faciendum vocaverit. Et ibidem faciet electus homagium et 'fidelitatem domino regi, sicut ligio domino, de vita et membris, 'et de honore suo terreno, salvo ordine suo, priusquam sit conse-'cratus.—*Condemned.*

'(13) Si quisquam de proceribus regni diffortiaverit archiepi-'scopo vel episcopo, vel archidiacono, de se vel de suis justitiam 'exhibere: rex debet justitiare. Et si forte aliquis diffortiaverit 'domino regi rectitudinem suam: archiepiscopi, vel episcopi et 'archidiaconi debent eum justitiare ut domino regi satisfaciat.—'*Allowed.*

'(14) Catalla eorum, qui sunt in regis forisfacto, non detineat 'ecclesia vel coemeterium, contra justitiam regis; quia ipsius regis 'sunt, sive in ecclesiis sive extra fuerint inventa.—*Allowed.*

'(15) Placita de debitis, quae fide interposita debentur, vel 'absque interpositione fidei, sint in curia regis.—*Condemned.*

'(16) Filii rusticorum non debent ordinari absque assensu 'domini, de cujus terra nati dignoscuntur.—*Allowed.*'

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the king, no officer of his household or of his demesne, should be excommunicated, or his lands put under an interdict, until application had been made to the king or his justiciary, who would determine what belonged to the king's courts and what belonged to the ecclesiastical courts. Archbishops, bishops, or parsons were forbidden to go beyond the sea without the king's permission; and in case of appeals, it was provided that no appeal should lie from the archbishop to the Pope without the king's consent; but that if the archbishop failed to do justice, the cause should be carried before the king, that by his precept the suit might be terminated in the archbishop's court. All these were points which Becket could not approve. He could not feel happy in having given them his sanction. He relented. In an agony of mind, he interdicted himself from the exercise of his functions, wrote to Alexander III. a full account of the transaction, and humbly solicited absolution.

*(b) Ruin of Becket the king's aim.*

If Becket's refusal to observe the customs unconditionally had previously incensed King Henry, his present repentance now incensed him still more, since it reopened a question which he had hoped was already settled. Henceforth the ruin of a single prelate became one of the chief objects which engaged the perplexed monarch's attention. A series of charges was prepared against the archbishop, and the primate was summoned before a great council at Northampton.[1] That was indeed a curious instance

[1] Concil. Northampton. an. 1164, LABBÉ, xiii. 320.

of the administration of justice, where the accused was the greatest prelate in England, the highest in dignity next to the sovereign, and the accuser the king himself; where the judge was a favourite clerk of the king, and the jury bishops who had taken an oath of fealty to the accused; where Henry was preferring charges against an ecclesiastic once his most intimate friend, and the spiritual father of the land was arraigned before a tribunal of his own liege children. There could be no doubt as to the king's aim at Northampton. He wished to ruin Becket by the enormous demands for money made on him, now for an imaginary contempt of court, then for the rents which he had received as warden of Eye and Berkhamstead, again for a sum which the king had formerly given him before the walls of Toulouse, and then for the receipts which had come into his hands as chancellor from vacant abbeys and bishoprics.[1] He wilfully ignored the fact that Becket had been previously released by his own commands from all these claims. Nor was the archbishop ignorant of the object which the king had in view. Still he refused to yield to the advice which was privately tendered by the prelates, to surrender and to avert Henry's wrath by resigning his see. Matters grew more serious; Henry's feelings became more embittered; it seemed as though his perseverance would lead to bloodshed. One after another the bishops withdrew from the judgment hall, each as he passed renouncing his fealty to the archbishop,

[1] LINGARD, vol. ii. ch. iii. p. 69.

PART II.

and appealing to the Pope. Becket was left alone with the lay barons. But when the Earl of Leicester, his private friend, called on him to hear his sentence, this language was more than he could endure, and the high bearing of the former chancellor burst forth, blended with the tone of a martyred ecclesiastic: 'My sentence,' said the archbishop; 'hear me first. You know with what fidelity I served the king; how reluctantly, to please him, I accepted my present office. . . . Know moreover that you are my children in God. Neither law nor reason allows you to judge your father. I decline your tribunal, and refer my quarrel to the Pope for decision. To him I appeal, and shall now under the protection of the Catholic and Apostolic Church depart.'

(3) *Sequel.*

(*a*) *Becket's exile.*

Under that protection Becket did depart. Crowds of people flocked about him as he passed through Northampton. They saluted him with acclamations; threw themselves on their knees to receive his blessing, and accompanied him to the monastery of St. Andrew's. His knights and his clerks came to him, and begged him with tears to return them their homage and license them to depart. With three companions he left St. Andrew's. Three weeks later he landed safely in France. Into Alexander III.'s hands he surrendered his archbishopric, but only to be reinvested by Alexander with the archiepiscopal dignity. Driven from Pontigny by Henry's threat that if it afforded him an asylum any longer all the Cistercians should be expelled from England, he removed to Sens, and there, as he had done at Pontigny, continued to live the life of a recluse. Gradu-

ally his opinions became tinged with enthusiasm; he identified his cause with that of God and the Church; and assuming a bolder tone, he promulgated a decree with more than ordinary severity, cutting off from the society of the faithful such of the royal ministers as had communicated with the antipope, those who had framed the Constitutions of Clarendon, and all who had invaded the property of the Church.

(*b*) *Becket's return.*

Before this weapon Henry quailed, however much he might affect to despise it. Whilst Becket was at Pontigny he had denounced the punishment of treason against any person who should presume to bring into England letters of excommunication or interdict. Now he had still greater reason to fear such a sentence: for the antipope was dead, and Alexander III. had returned to Rome and was supporting Becket. He therefore condescended to receive the primate, and twice conferred with him on the points at issue; but the conferences on each occasion broke down, as Henry refused to give the kiss of peace. At length circumstances became too pressing for the king: the French king, Louis, invaded Normandy; Alexander threatened to lay all his Continental territories under the interdict, and he consented to receive the archbishop. In the meadows of Freteville Henry and Becket met;—Henry embittered, but forced to acquiesce under the pressure of circumstances; Becket sad but resolute, and conscious of coming troubles. The king was relieved from his sentence; Becket was restored to favour; Henry repaired to Bure in Normandy, to celebrate the holidays in the midst of his prelates and nobles; Becket hastened to revisit

A.D. 1165

1170

PART II.

his church at Canterbury, from which he had been six years an exile.

Although he was joyfully received by the clergy and people, he had not been long there before signs appeared of a gathering storm. His provisions were hourly intercepted; his property was plundered; his servants were beaten and insulted. The excommunication which he pronounced on Christmas Day on Ranulph and Robert de Broc did not lessen the ill-will of the enemies, who, for seven years, had inflicted every injury in their power on him and his church. Only a few days later four knights—Reginald Fitzurse, William Tracy, Hugh de Morville, and Richard Brito—assembled at Saltwood to compass the death of the archbishop, which a hasty expression of Henry's had suggested.

(c) *Murder.*

On the Wednesday after Christmas, the four knights appeared before the palace of the archbishop, and demanded to speak with him on business from the king. Finding him unwilling to absolve the excommunicated bishops until they professed submission to the Church, they left him, and withdrew to a large house opposite to arm themselves. Becket's attendants anticipated their intentions. It was the hour of evening service, and at the sound of the psalmody in the choir, a voice exclaimed: 'To the Church: It will afford protection.' Thither Becket was hurried by his attendants, but not till the knights were close in pursuit, and the door was closed behind him. Slowly and calmly he passed through the transept, and ascended the steps which led to his favourite altar—the well-known steps which he was

now ascending for the last time—when the cries of the knights demanding admission without were heard. Scorning the material defences of bars and bolts, he at once ordered the doors to be thrown open, and turned to meet his assassins. It was a scene not easily to be forgotten. Stationed with his back against a column between the altars of St. Mary and St. Bennet, the archbishop quietly awaited their approach, whilst they burst into the church, and rushed in furiously, demanding, 'Where is the traitor?' To this question no answer was returned. But when they asked: 'Where is the archbishop,' Becket replied: 'Here I am, the archbishop, but no traitor.' 'Then die,' exclaimed a voice. 'I am ready,' returned the prelate, 'to die for the cause of God and his Church; but I forbid you in the name of the Almighty God to touch any one of my household, clerk or layman.' It seemed as though they were afraid. There was a few minutes' pause. An attempt was made to drag him from the church. In the struggle which ensued, Fitzurse dealt a blow, wounding the archbishop on the crown. Feeling the blood trickling down his cheek, he wiped it away with his sleeve, then joined his hands, and bent his head in the attitude of prayer, uttering the words: 'Into thy hands, O Lord, I commend my spirit.' In this posture, with his face to his murderers, he awaited the blows which ended his life.

(4) *The Church victorious.*

The archbishop was murdered, but that death, so sudden, so tragic, so unmerited, procured the most brilliant victory for the cause for which he contended. The assassins, with all their abettors, were excommu-

PART II.

nicated by Alexander: the interdict on Henry's dominions in Gaul was confirmed. Crowds flocked to pray before the tomb of the martyred archbishop; stories got abroad of the miraculous cures there performed. Henry himself was deeply affected. He made every effort to justify himself before the Pope. He acquiesced in all the conditions prescribed, and yielded more than Thomas à Becket had been able to gain during his lifetime. To crown the whole, he made a pilgrimage to the tomb, and as his hasty words had been the cause of the crime, he submitted to the penance imposed. A night and a day was spent in prayers and tears, imploring the intercession in heaven of him whom he had pursued with relentless animosity on earth.[1] The Church was triumphant, but her victory was dearly purchased with the martyrdom of one of her most loyal sons.

D. *Inroads on the wealth of the clergy.*

In each struggle in which the Church, or rather the Papacy—for the Papacy now becomes identical with the Church—engaged, greater success attended her efforts. The struggle for investitures had ended in a favourable compromise, that for jurisdiction had resulted in a complete triumph. Subsequent triumphs were gained almost without any struggle at all, and among them three in particular—the power of the Popes to tax the clergy, the administration of the Church by means of legates, and the right to dispose of benefices.

(1) *Disposal of benefices.*

The right to dispose of benefices was in fact, at

[1] LINGARD, vol. ii. ch. iii. pp. 83, 101.

CHAP. XII.

*(a) Origin of the right.*

first, no right at all, but simply an innovation on the rights of the recognised patrons, which was acquiesced in as a matter of courtesy. Nevertheless, it followed as a necessary corollary from the advanced claims of the Papacy. In the middle of the twelfth century it was still in its infancy. Hadrian IV. then addressed a letter to Theobald, bishop of Paris, on behalf of Hugh Chancellor of France, urgently begging the bishop to confer on him the first place of emolument or dignity which should be in his gift, that both the chancellor might experience the benefit of the Pope's intercession, and the Pope might be able to thank the bishop for his kindness.[1] Under Hadrian's successor, however, Alexander III., these letters began to assume a tone of command.[2] It was the same story as formerly with the Pope's decretal letters. From the tone of advice, these commendatory letters passed to the tone of command. They no longer recommended a suitable person for an office, but they asked for a personal favour; and who could refuse a favour asked for by the vicegerent of Christ?

A.D. 1154

1159–1185

In the time of Innocent III., the privilege had advanced a step further. Having now come to be

1198–1216

[1] Ep. xiii. Had. IV., LABBÉ, xiii. p. 24: 'Fraternitatem tuam 'pro his qui nobis cari sunt et accepti, vagare non dubitamus. . . . 'Inde est quod illum [Hugonem] fraternitati tuae duximus pluri-'mum commendandum, rogantes attentius, . . . primum perso-'natum vel honorem qui in tua vocabit ecclesia ei concedas.'

[2] Ep. App. vi. Alex. III. LABBÉ, xiii. 122: 'Ipsum [Ubertum] 'caritati tuae sollicite commendamus, rogantes et rogando man-'dantes . . . praebendam in ecclesia S. Timothei, si qua nunc 'vacat, vel quae primo vacaverit, ei concedas liberaliter.'

PART II.

regarded as a right, it was maintained in spite of all opposition by officers appointed for the purpose, and ecclesiastical penalties were threatened in case of non-compliance.[1] Everywhere the best livings and dignities were filled with the nominees of the Popes, able indeed to discharge the necessary services, unless too these were neglected, but often foreigners unknown to the people, speaking a foreign language, unable to understand the people, and mostly non-resident. Hence arose the outcry, afterwards prominent at the Reformation, against non-resident clergy, who fed themselves but not their flocks ; and hence in part came the prejudice against service in any but the language of the people. It was not that in itself the people would understand the mass better whether it were in the vernacular, or whether it were in the ecclesiastical language, but it was that the people were impatient of ecclesiastics who could not understand or be understood by their parishioners.

(*b*) *Abuses in England.*

Nowhere, probably, was the practice of papal provisions carried to a greater extent than it was in England, and hence nowhere was so strong a prejudice engendered against a non-resident clergy and against foreign ecclesiastics. Thus in the thirteenth

A.D. 1231

century, according to Mathew of Paris, a conspiracy was made against the Roman legates, who arbitrarily disposed of benefices according to their good pleasure, and compelled the collators to obey their wishes

[1] *Innoc. III.* lib. i. Ep. cxvi. cxxvii. cxlv. ; lib. xvi. Ep. clxxvii. See HURTER'S *Innocent III.* iii. 109.

under the threat of suspension.[1] Indeed, how could the Pope's power be other than oppressive in a country which was at the time held by the king as a fief of the Roman See? The conspirators tore down the tithe barns of the Roman clergy throughout the length and breadth of the land. The Italians were A.D. 1232 obliged to conceal themselves in the monasteries.[2] The papal messengers who brought over new bulls of collation fared no better, and Gregory IX., in consequence, accused the English bishops of seizing and destroying his bulls; of imprisoning and plundering 1232 his clergy, of offering violence to his messengers, one having been cut to pieces, and the other having been left all but lifeless. Yet, notwithstanding all that had happened, Gregory IX. had the audacity to write to the English bishops, a few years later, 1240 charging them to appoint three hundred Romans to the benefices next vacant.[3] No wonder that to the English mind papal bulls came to be associated with acts of oppression and grasping! No wonder that the Pope came to be regarded with abhorrence as a usurping foreigner. No wonder that the English legates at the Council of Lyons complained that Italians grew fat in England, that an infinite number of them had obtruded themselves as rectors upon 1245

[1] MATH. PAR. (p. 313) says that the Roman Legates arbitrarily dispose of the *beneficia regni, suis, secundum quod eis placet, conferendo,* and compel the collators to obey their wishes *suspensionis sententias fulminando.*

[2] *Ibid.* p. 316: 'Distracta sunt horrea Romanorum per totam 'fere Angliam. . . . Delituerunt clerici Romani in abbatüs.'

[3] *Ibid.* p. 532.

PART II.

churches, for which they cared nothing at all, that they received in England a sum of 60,000 marks, and derived from the realm a greater revenue than the king himself.[1]

(c) *Abuse in France.* A.D. 1246

Nor was England the only country which complained of this abuse. The Church of France also raised her voice against the injustice of collation in the *Gravamina*, presented by Lewis IX. to Innocent IV. 'Churches,' it ran, 'are oppressed in the collation to benefices and prebends. For in every church you have bestowed many prebends, even before they are vacant, and not only prebends but also livings, which seems to us all a strange thing, and such has been unknown heretofore. Alexander once took refuge with King Lewis in France, but he never ventured to bestow a benefice or prebend while there. Nor did any of his predecessors. Of his successors, few,

[1] MATH. PAR. Concil. Lugd. an. 1245, LABBÉ, xiv. 71: 'Sed 'ecce per vos et praedecessores vestros, nullam considerationem 'habentes, quod praeter subsidia supradicta, jam ditantur in 'Anglia Italici, quorum est jam numerus infinitus in ecclesiis ad 'ipsorum religiosorum spectantibus patronatus, qui rectores eccle- 'siarum dicuntur, praefatos religiosos, quos deberent defendere, 'relinquentes penitus indefensos, nullam curam animarum gerentes, 'sed lupos rapacissimos gregem dispergere et oves rapere permit- 'tentes. Unde vere dicere possunt, quod non sunt boni pastores, 'quoniam oves suas non cognoscunt, nec pastorum notitiam oves 'habent; hospitalitate eleemosynarumque largitioni, sicut statu- 'tum est in ecclesia, non insistunt, sed fructus tantum percipiunt, 'extra regnum asportantes, regnum non mediocriter depauperando 'et redditus occupando. . . . Ut autem vobis veritas plenius 'innotescat, Italici percipientes in Anglia sexaginta millia mar- 'carum et eo amplius annuatim, plus emolumento meri reditus de 'regno reportant quam ipse rex, qui est tutor ecclesiae et regni 'gubernacula moderatur.'

too, bestowed of their own authority a benefice until the time of Innocent III., whose example Honorius and Gregory followed. And yet all your predecessors together did not confer so many benefices as you have already done in your short tenure of office.'[1] Yet twenty years later, Clement IV. actually declared that the plenary disposition of all benefices belonged to the sovereign Pontiff.[2]

A.D. 1266

(2) *Legates instead of appointments to bishoprics.*

(*a*) *Share in bishoprics.*

The right of appointment to vacant bishoprics was not, however, so universally claimed by the Popes as that to dignities and benefices. Probably the old struggles for investitures had taught them where to expect resistance; and, in general, their pretensions to appoint to sees were limited to certain cases only. In France, England, and Spain, a regulation was established by law, that the king's permission to elect, and afterwards his confirmation of the election, must be obtained. Theoretically, therefore, the appointment lay with the chapter. But not unfrequently the Popes, as in the election of Simon Langton to be archbishop of York, refused to sanction the choice of the chapter and required a fresh election to take

1215

[1] Gravamina Ecclesiae Gallicanae in BROWN, App. *ad Fasciculum rerum expet. et fugiend.* p. 238, and in GIES. vol. iii. sec. 62, p. 186.

[2] SEXTI *Decretal.* lib. iii. tit. iv. c. 2: 'Licet ecclesiarum, per-
'sonatuum, dignitatum, aliorumque beneficiorum ecclesiasticorum
'plenaria dispositio ad Romanum noscatur Pontificem pertinere,
'ita quod non solum ipsa, cum vacant, potest de jure conferre,
'verum etiam jus in ipsis tribuere vacaturis; collationem tamen
'ecclesiarum, personatuum, dignitatum et beneficiorum apud sedem
'apostolicam vacantium specialius caeteris antiqua consuetudo
'Romanis pontificibus reservavit.'

PART II.

place.[1] In Germany, imperial nomination of bishops, or imperial influence over the elections, came into vogue after the settlement of the struggle about investitures in the twelfth century. Yet as the power of the Popes triumphed over that of the emperors, the imperial influence became less and less, and, in the climax of the papal power, Otto IV.[2] and Frederic II.[3] had to disclaim the right. In Naples, Hungary, Denmark, and Sweden, nomination by the king continued till the thirteenth century. In general it was a wise discretion on the part of the Popes which left the appointment to bishoprics in the hands of the chapters. The bishops did not, however, escape the Papal covetousness.[4]

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[1] The chapter of York chose Simon Langton, the brother of Stephen, to be their archbishop. The Pope refused to sanction the choice, and the chapter had to make another election during the Lateran Council in Rome, an. 1215. See MATH. PAR. p. 271 *seq.* The account will also be found in Additio ad Concil. Lateran. iv. an. 1215, LABBÉ, xiii. 1020.

[2] Otto had been obliged to take a new oath to the Pope in Speier, March 22, 1209. REGIST. IMP. Ep. 189: 'Illum igitur 'abolere volentes abusum . . . concedimus et sancimus, ut elec- 'tiones Praelatorum libere ac canonice fiant, quatenus ille prae- 'ficiatur ecclesiae viduatae, quem totum capitulum vel major et 'sanior pars ipsius duxerit eligendum, dummodo nihil ei obstet de 'canonicis institutis. Appellationes autem in negotiis et causis 'ecclesiasticis ad apostolicam sedem libere fiant, earumque pro- 'secutionem sive processum nullus impedire praesumat.'

[3] Two promises were made by Frederic II.: one at Eger, June 28, 1213, the same as that made by Otto (PERTZ, iv. 224); the other at Strasburg, July 1, 1216 (PERTZ, iv. 228).

[4] The newly elected Archbishop of York returned from the Lateran Council, an. 1215 'obligatus in Curia Romana de 'decem millibus librarum legalium esterlingorum. In fine autem, 'soluto Concilio, extorsit Papa de unoquoque Praelato infinitam

CHAP. XII.

For as far as the power exercised by bishops was concerned, the Popes obtained ample compensation for any power which the appointment would have given them in the new institution of legates. Boniface had as papal legate crowned King Pepin at Soissons. One hundred and twenty years later, the institution was anew revived, and then in the character in which it was afterwards known, as a superseding of the power of the bishops. John VIII. appointed Ansegis, Archbishop of Sens, Apostolic Vicar with legatine powers, for the purpose of humbling the great archbishop Hincmar. After the night of the Papacy, papal legates with a universal commission to visit the churches, appear in the time of Leo IX. and Victor II. They were one of the great instruments by which Gregory VII. worked his reforms.[1] Since it was impossible for the Pope to be everywhere, and he was yet supposed to have the care of all the churches, legates were appointed to act as his representatives and vicegerents, and to receive the same obedience from the bishops as he would have received himself.[2] Such obedience would have been impossible until the doctrines of the False Decretals had taken firm root.

A.D. 752

872–882

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'pecuniam, quam cum viaticis cogebantur ab usurariis suis mutuo 'duris conditionibus sumere.' See MATH. PAR. p. 274.

[1] See HALLAM's *Middle Ages*, vol. ii. pt. i. ch. vii. p. 194; NEAND. vii. 119; GIES. vol. iii. sec. 47, p. 11, and vol. iii. sec. 62, p. 175.

[2] Greg. VII. lib. v. Ep. ii. LABBÉ, xii. 408: 'Misimus ad vos 'hunc fratrem nostrum . . . cui et vicem nostram in vobis com- 'misimus . . . cui vos obedire et unanimites assistere volumus, 'admonentes . . . ut . . . talem sibi honorem et reverentiam 'exhibeatis qualem oportet. . . .'

PART II.

A.D. 1098

1100

Under Gregory's successors, legates became a numerous and an established order. Roger, Count of Sicily, received the dignity from Urban II.: perhaps, in his case, it was not meant to be more than a dignity.[1] Paschal II., the great champion of investiture, was present at the Synod of Poictiers by his legates, and through them caused Philip king of France to be excommunicated.[2] Pandulph appeared in England as the legate of Innocent III., and received from King John the oath of fealty. Secure of the powerful support of the Popes, the legates appeared everywhere, invested with marks of rank, superseding the bishops, flaunting the pontifical insignia, disposing of benefices, even interfering with free elections, and rendering themselves infamous by their shameless extortions.[3] Can the Popes be said to have lost much in not claiming the appointments to bishoprics when they took the administration of every diocese into their own hands by means of their legates? Were they not possessed of a more substantial power wielded under another name?

(3) *Taxation of clergy.*

The noblest monument of Saladin's successes, and of the terror which his name inspired throughout Christendom, is the Saladin tenth, a general tax imposed on the laity, and likewise on the clergy of the Latin Church, for the service of a Holy war.[4]

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[1] GIES. vol. iii. sec. 48, p. 33.

[2] Concil. Pict. an. 1100, LABBÉ, xii. 1081.

[3] GIES. vol. iii. sec. 62, p. 176 (note).

[4] This tax was authorised in France at Concil. Paris. an. 1188, LABBÉ, xiii. 677, in the time of Clement III.; in England at Concil. Angl. an. 1188, *ibid.* p. 675. In 1199, Innocent III.

Originating in the panic created by the fall of Jerusalem, the payment survived the occasion which gave it birth, and passed down to later times under a new sanction as a relic of the crusades. In the struggles between the Popes and the emperors, it was a convenient mode of supplying the Popes with funds, nor was this employment of it for other purposes than crusades against Infidels regarded as a perversion of it to strange purposes, since all the Popes' wars were now designated crusades. Besides, a theory was started, based on the old rule of the Jewish law that a tenth of the Levites' tithe went to the high-priest, that the tithe of all benefices was the rightful due of the supreme Pontiff.

In the thirteenth century, a native historian tells of the unpopularity of the tax, and the way in which the clergy were compelled to pay it in England. 'In the year 1229, the Pope demanded a tenth of all moveables both from clergy and laity, for the purpose of carrying on his war. The laity refused; but the clergy were compelled to pay the tax by the legate Stephen, under pain of interdict and excommunication. They were even obliged to give the tithe of the harvest before it was gathered in. The legate had with him money-lenders of the worst kind, disguising usury under the name of business, who offered loans to the needy oppressed by exactions,

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imposed upon the whole Church a fortieth of moveable estate, pledging himself that the money should be applied to the purposes of a crusade. The Church of England was taxed by Gregory IX. to carry on his crusade against the Emperor Frederic II. HALLAM'S *Middle Ages*, vol. ii. pt. ii. ch. vii. p. 216.

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A.D. 1234

which the latter were obliged to accept at high interest, as Stephen dictated.'[1] Five years later, a tale is told of the same kind of exaction, leading to a waning of zeal for the Cross, and a general cooling down of charity.[2] Again, in the year 1240, the Pope, not content with a tenth, demands from the clergy a fifth part of their chattels, that he might have the means for overcoming his powerful enemy. After a long struggle, the Archbishop of Canterbury was obliged to give way, and the rest of the English prelates 'seeing this, fell into the same error.'[3] On another occasion, when the Pope presented the Sicilian crown to the English prince Edmund, he wrote to the

1254 bishops, charging them to borrow on behalf of the king as much money as they were able, pledging their churches collectively and severally for its

1255 repayment.[4] Alexander IV. confirmed the grant of his predecessor on still more usurious conditions, requiring 20,000 pounds sterling to be given by the king to the Pope and the cardinals, besides requiring him to defray all the expenses of the war, and he

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[1] MATH. PAR. an. 1229, p. 361.

[2] *Ibid.* an. 1234, p. 400: 'Ut efficacius [legati] thesauros 'omnium emungerent, et pecuniam quasi ad succursum Terrae 'Sanctae colligerent, scripsit dominus Papa verba elegantissima. . . .' P. 402: 'Haec cum per Christianorum climata, praecipue 'per Angliam, Christi fidelibus innotescerent . . . sese multi 'cruce signaverunt. Sed . . . parvo tempore succedente facta 'est tanta commutatio, tam multiformis pecuniae exactio; nec 'sciri poterat, in quam abyssum tanta pecunia . . . est demissa; 'quod fidelium circa negotium crucis tepuit, imo potius caritas 'refriguit generalis.'

[3] *Ibid.* an. 1240, p. 527.

[4] *Ibid.* an. 1254, p. 892; RYMER-CLARKE, book i. ch. i. 297, 301.

authorised the king to take up large sums in the name of English prelates with Italian bankers.[1]

Nor was England the only country which was thus treated, although it might be pillaged more than others. In France, in Germany, and elsewhere, a tithe was likewise required to be paid by the clergy to the Pope.[2] It was this payment which gave Philip the Fair such a handle in his struggle with Boniface VIII., and at one stage in the struggle, Boniface found it conducive to his interest to grant to the king for three years the tithe from the clergy. In Germany, one voice alone in the thirteenth century, that of Joannes Semeca, dared to raise itself against the imposition. For doing this, John was excommunicated by Clement IV. The nobles of Germany, however, espoused his cause, and possibly a struggle might have broken out, similar to the struggle about investitures in a preceding century, and certainly not inferior to that which took place soon after between Philip and Boniface in France, had not death swept away both John and the Pontiff.[3] The German clergy might grumble at the exaction, but there as elsewhere, it was vain to try to resist the papal authority.

Thus, as the thirteenth century closed, the Popes found themselves successful in all their assumptions of power over this world's goods and their clergy.

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[1] MATH. PAR. an. 1255, p. 910; RYMER-CLARKE, book i. ch. i. p. 316. See two letters of Innocent IV., Ep. i. LABBÉ, xiv. 2; Ep. v. *ibid.* p. 6.

[2] See the authorities quoted by GIES. vol. iii. sec. 55, p. 98.

[3] GIES. vol. iii. sec. 62, p. 75.

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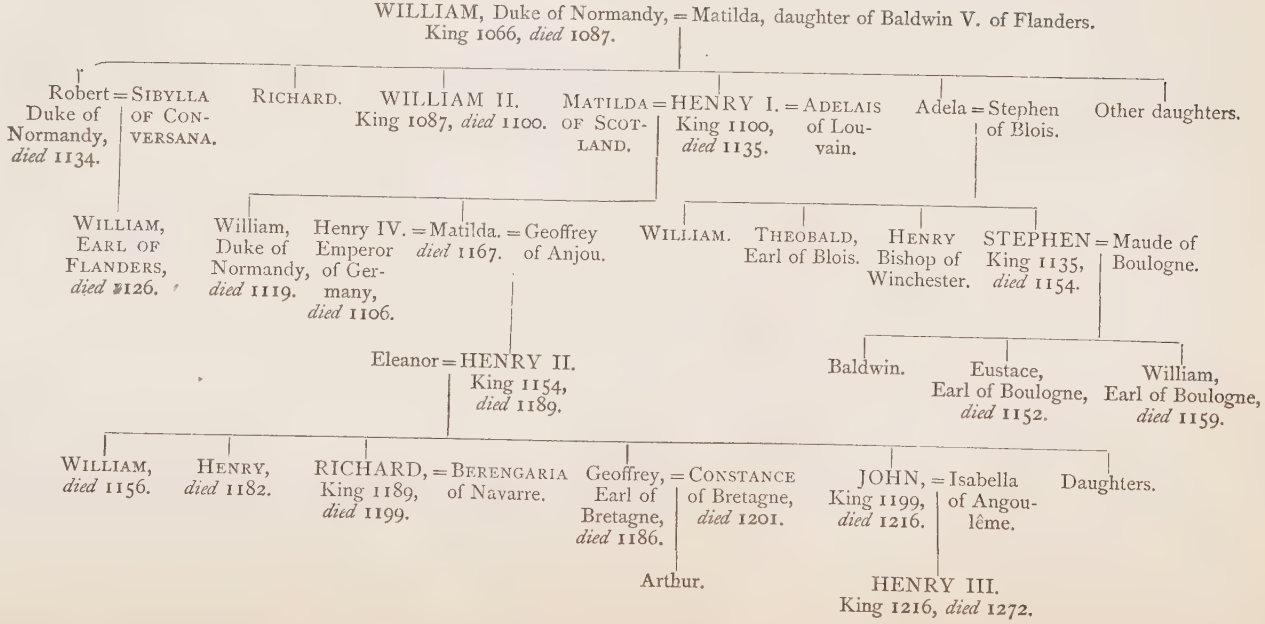
Victorious over the emperors, whom they had hunted down and deposed; successful in the struggle for investitures; triumphant in asserting clerical jurisdiction and upholding the clergy in the possession of wealth by the unscrupulous use of the dreaded instruments, excommunication, the interdict, a crusade; in the plenitude of their power they turned the grasping hand of covetousness upon the very clergy who had themselves assisted in securing their success. All the privileges and possessions which the clergy had won for themselves, either by fraud or by force, aided by the terrible penalties of a foreign ecclesiastic, were now ruthlessly invaded by that ecclesiastic himself, and torn from their grasp with a high hand. All the injurious devices which they had resorted to, to feed themselves at the expense of their flocks, were now employed against themselves by one still more greedy and insatiable than they had been. Everywhere the clergy were superseded, degraded, over-reached by the minions of the Pope, who, making common cause with the people, turned upon the deposed seculars. It was a terrible Nemesis; but not a more terrible one than in turn awaited the usurper, when his cup of oppression was full. The tale of the hierarchical abuse of power in the Middle Ages is indeed a sickening one. We can well understand the violence of the reaction which ensued at the Reformation. Let not those decry the latter event who have not studied the former! Let not the greed and the vices of a king be unscrupulously attacked by those who shut their eyes to the greed

and vices of an overgrown clergy! Let not those who seek to revive the arrogant pretensions of the hierarchy, forget that sooner or later will come the Nemesis of those pretensions too, and that retribution will be all the severer the longer it is delayed.

## *RELATIONSHIP OF ENGLISH SOVEREIGNS.*


WILLIAM, Duke of Normandy, King 1066, *died* 1087.
Matilda, daughter of Baldwin V. of Flanders.
Robert, Duke of Normandy, *died* 1134.
Sibylla of Conversana.
Richard.
WILLIAM II. King 1087, *died* 1100.
Matilda of Scotland.
HENRY I. King 1100, *died* 1135.
Adelais of Louvain.
Adela
Stephen of Blois.
Other daughters.
William, Earl of Flanders, *died* 1126.
William, Duke of Normandy, *died* 1119.
Henry IV. Emperor of Germany, *died* 1106.
Matilda. *died* 1167.
Geoffrey of Anjou.
William.
Theobald, Earl of Blois.
Henry Bishop of Winchester.
STEPHEN King 1135, *died* 1154.
Maude of Boulogne.
Eleanor
HENRY II. King 1154, *died* 1189.
Baldwin.
Eustace, Earl of Boulogne, *died* 1152.
William, Earl of Boulogne, *died* 1159.
William, *died* 1156.
Henry, *died* 1182.
RICHARD, King 1189, *died* 1199.
Berengaria of Navarre.
Geoffrey, Earl of Bretagne, *died* 1186.
Constance of Bretagne, *died* 1201.
JOHN, King 1199, *died* 1216.
Isabella of Angoulême.
Daughters.
Arthur.
HENRY III. King 1216, *died* 1272.

# APPENDIX I.

## MAGNA CARTA, TRANSLATED.



JOHN, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou : To the Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries, Foresters, Sheriffs, Reves, Ministers, and all Bailiffs and others, his faithful subjects, Greeting. Know ye that We, in the presence of God, and for the health of Our soul, and the souls of Our ancestors and heirs, to the honour of God, and the exaltation of Holy Church, and amendment of Our kingdom, by the advice of Our reverend Fathers, Stephen, Archbishop of Canterbury, Primate of all England, and Cardinal of the Holy Roman Church ; Henry, Archbishop of Dublin ; William of London ; Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, Bishops ; and Master Pandulph, the Pope's subdeacon and familiar ; Brother Aymeric, Master of the Knights of the Temple in England ; and the noble persons, William Marshal, Earl of Pembroke ; William, Earl of Salisbury ; William, Earl of Warren ; William, Earl of Arundel ; Alan de Galloway, Constable of Scotland ; Warin Fitz-Gerald, Hubert de Burgh, Seneschal of Poictou, Peter Fitz-Herbert, Hugo de Neville, Matthew Fitz-Herbert, Thomas Basset, Alan Basset, Philip Daubeney, Robert de Roppelay, John Marshall, John Fitz-Hugh, and others, our liegemen, have, in the first place, granted to God, and by this Our present Charter confirmed for Us and Our heirs for ever—That the English Church shall be free and enjoy all her rights in their integrity and her liberties untouched. And that We will this so to be observed appears from the fact that We of Our mere and free will, before the outbreak of the dissensions between Us and Our Barons, granted, confirmed, and procured to be confirmed by Pope Innocent III., the free-

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dom of elections which is considered most important and necessary to the English Church, which Charter We will both keep Ourself and will it to be so kept by Our heirs for ever. We have also granted to all the free men of Our Kingdom, for Us and Our heirs for ever, all the liberties underwritten, to have and to hold to them and their heirs of Us and Our heirs. If any of Our Earls, Barons, or others who hold of Us in chief by Knight's service, shall die, and at the time of his death his heir shall be of full age and owe a relief, he shall have his inheritance by ancient relief; to wit, the heir or heirs of an Earl of an entire Earl's barony, 100*l.*; the heir or heirs of a Baron of an entire Barony, 100*l.*; the heir or heirs of a Knight of an entire Knight's Fee, 100*s.* at the most; and he that oweth less shall give less, according to the ancient custom of fees. If, however, the heir of any such shall be under age and in ward, he shall, when he comes of age, have his inheritance without relief or fine. The guardian of the land of any such heir so under age shall take therefrom reasonable issues, customs, and services only, and that without destruction and waste of men or property; and if We shall have committed the custody of any such land to the Sheriff or any other person who ought to be answerable to Us for the issues thereof, and he commit destruction or waste upon the ward-lands, We will take an emend from him, and the land shall be committed to two lawful and discreet men of that fee, who shall be answerable for the issues to Us or to whomsoever We shall have assigned them. And if We shall give or sell the wardship of any such land to any one, and he commit destruction or waste upon it, he shall lose the wardship, which shall be committed to two lawful and discreet men of that fee, who shall, in like manner, be answerable unto Us as hath been aforesaid. But the guardian, so long as he shall have the custody of the land, shall keep up and maintain the houses, parks, fish ponds, pools, mills, and other things pertaining thereto, out of the issues of the same, and shall restore the whole to the heir when he comes of age, stocked with ploughs and wainage according as the season may require and the issues of the land can reasonably bear. Heirs shall be married without disparagement, to which end the marriage shall be made known to the heir's nearest of kin before it be contracted. A widow, after the death of her husband, shall immediately and without difficulty have her marriage portion and inheritance, nor shall she give anything for her marriage portion, dower, or inheritance which her

husband and herself held on the day of his death; and she may remain in her husband's house for forty days after his death, within which time her dower shall be assigned to her. No widow shall be distrained to marry so long as she has a mind to live without a husband; provided, however, that she give security that she will not marry without Our assent if she holds of Us, or that of the Lord of whom she holds, if she hold of another. Neither We nor Our bailiffs shall seize any land or rent for any debt so long as the debtor's chattels are sufficient to discharge the same; nor shall the debtor's sureties be distrained so long as the chief debtor hath sufficient to pay the debt, and if he fail in the payment thereof, not having wherewithal to discharge it, then the sureties shall answer it, and, if they will, shall hold the debtor's lands and rents until satisfaction of the debt which they have paid for him be made them, unless the chief debtor can show himself to be quit thereof against them. If any one shall have borrowed money from the Jews, more or less, and die before the debt be satisfied, no interest shall be taken upon such debt so long as the heir be under age, of whomsoever he may hold; and if the debt shall fall into Our hands We will only take the chattel mentioned in the Charter. And if any one die indebted to the Jews, his wife shall have her dower and pay nothing of that debt; and if the children of the said deceased be left under age they shall have necessaries provided for them according to the condition of the deceased, and the debt shall be paid out of the residue, saving the Lord's service; and so shall it be done with regard to debts owed to other persons than Jews. No scutage or aid shall be imposed in Our kingdom unless by common council thereof, except to ransom Our person, make Our eldest son a knight, and once to marry Our eldest daughter, and for this a reasonable aid only shall be paid. So shall it be with regard to aids from the City of London, and the City of London shall have all her ancient liberties and free customs, both by land and water. Moreover, We will and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs. And for obtaining the common council of the kingdom concerning the assessment of aids other than in the three cases aforesaid or of scutage, We will cause to be summoned, severally by our letters, the Archbishops, Bishops, Abbots, Earls, and great Barons; and in addition We will also cause to be summoned, generally, by Our sheriffs and bailiffs, all those who hold of Us in chief, to meet at

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a certain day, to wit, at the end of forty days at least, and at a certain place ; and in all letters of such summons We will explain the cause thereof, and the summons being thus made the business shall proceed on the day appointed, according to the advice of those who shall be present, notwithstanding that the whole number of persons summoned shall not have come. We will not, for the future, grant permission to any man to levy an aid upon his freemen, except to ransom his person, make his eldest son a knight, and once to marry his eldest daughter, for which a reasonable aid only shall be levied. No man shall be distrained to perform more service for a knight's fee or other fee tenement than is due therefrom. Common pleas shall not follow Our Court, but be holden in some certain place. Recognisances of Novel Disseisin, Mort d'Ancestor, and Darrein Presentment shall be taken in their proper counties only, and in this wise :—We Ourself, or, if We be absent from the realm, Our Chief Justiciary, shall send two justiciaries through each county four times a year, who, together with four knights elected out of each shire by the people thereof, shall hold the said assizes on the day and in the place aforesaid. And if the said assizes cannot be held on the day appointed, so many of the knights and freeholders as shall have been present thereat on that day shall remain as will be sufficient for the administration of justice, according as the business to be done be greater or less. A free man shall not be amerced for a small fault, but according to the measure thereof, and for a great crime according to its magnitude, in proportion to his degree ; and in like manner a merchant in proportion to his merchandise, and a villein in proportion to his wainage if he should fall under Our mercy ; and none of the said amercements shall be imposed unless by the oath of honest men of the venue. Earls and Barons shall only be amerced by their peers in proportion to the measure of the offence. No clerk shall be amerced for his lay tenement, except after the manner of the other persons aforesaid, and not according to the value of his ecclesiastical benefice. Neither shall any vill or person be distrained to make bridges over rivers, but they who are bound to do so by ancient custom and law. No sheriff, constable, coroners, or other Our bailiffs shall hold pleas of Our Crown. All counties, hundreds, tithings, and wapentakes shall stand at the old farms, without any increased rent, except Our demesne manors. If any one die holding a lay fee of Us, and the sheriff or Our bailiff show Our letters patent

of summons touching the debt due to Us from the deceased, it shall be lawful to such sheriff or bailiff to attach and register the chattels of the deceased found in the lay fee to the value of that debt, by view of lawful men, so that nothing be removed therefrom until Our whole debt be paid; and the residue shall be given up to the executors to carry out the will of the deceased. And if there be nothing due from him to Us, all his chattels shall remain to the deceased, saving to his wife and children their reasonable shares. If any free man shall die intestate his chattels shall be distributed by the hands of his nearest kinsfolk and friends by view of the Church, saving to every one the debts due to him from the deceased. No constable or other Our bailiff shall take corn or other chattels of any man without immediate payment for the same, unless he hath a voluntary respite of payment from the seller. No constable shall distrain any knight to give money for castle-guard, if he will perform it either in his proper person or by some other fit man, if he himself be prevented from so doing by reasonable cause; and, if We lead or send him into the army, he shall be quit of castle-guard for the time he shall remain in the army by Our command. No sheriff or other Our bailiff, or any other man, shall take the horses or carts of any free man for carriage except with his consent. Neither shall We or Our bailiffs take another man's timber for Our castles or other uses, unless with the consent of the owner thereof. We will only retain the lands of persons convicted of felony for a year and a day, after which they shall be restored to the Lords of the fees. From henceforth all weirs shall be entirely removed from the Thames and Medway, and throughout England, except upon the sea coast. The writ called 'Praecipe' shall not for the future issue to any one of any tenement whereby a freeman may lose his court. There shall be one measure of wine throughout Our kingdom, and one of ale, and one measure of corn, to wit, the London quarter, and one breadth of dyed cloth, russetts, and haberjects, to wit, two ells within the lists. And as with measures so shall it be also with weights. From henceforth nothing shall be given for a writ of inquisition upon life or limbs, but it shall be granted gratis, and shall not be denied. If any one hold of Us by fee-farm, socage or burgage, and hold land of another by knight's service, We will not have the wardship of his heir, or the land which belongs to another man's fee, by reason of that fee-farm, socage or burgage; nor will We have the wardship of such fee-farm, socage, or burgage,

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unless such fee-farm owe knight's service. We will not have the wardship of any man's heir, or the land which he holds of another by knight's service, by reason of any petty serjeanty which he holds of Us by service of rendering Us daggers, arrows, or the like. No bailiff shall for the future put any man to trial upon his simple accusation without producing credible witnesses to the truth thereof. No freeman shall be taken, imprisoned, disseised, outlawed, banished, or in any way destroyed, nor will We proceed against or prosecute him except by lawful judgment of his peers or the law of the land. To no one will We sell, to no one will We deny or defer, right or justice. All merchants shall have safe conduct to go and come out of and into England, and to stay in and travel through England by land and water for purchase or sale, without maltolt, by ancient and just customs, except in time of war, or if they belong to a country at war with Us. And if any such be found in Our dominion at the outbreak of war, they shall be attached, without injury to their persons or goods, until it be known to Us or Our Chief Justiciary, after what sort Our merchants are treated who shall be found to be at that time in the country at war with Us, and if they be safe there then these shall be also with Us. It shall be lawful in future, unless in time of war, for any one to leave and return to Our kingdom safely and securely by land and water, saving his fealty to Us, for any short period, for the common benefit of the realm, except prisoners and outlaws according to the law of the land, people of the country at war with Us, and merchants who shall be dealt with as is aforesaid. If any one die holding of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or other escheats which are in Our hands and are baronies, his heir shall not give any relief or do any service to Us other than he would owe to the baron if such barony should have been in the hands of a baron, and We will hold it in the same manner in which the baron held it. Persons dwelling without the forest shall not for the future come before Our justiciaries of the forest by common summons, unless they be impleaded or are bail for any person or persons attached for breach of forest laws. We will only appoint such men to be justiciaries, constables, sheriffs, or bailiffs as know the law of the land and will keep it well. All barons, founders of abbeys by charters of English Kings or ancient tenure, shall have the custody of the same during vacancy as is due. All forests which have been afforested in Our time shall be forthwith dis-

afforested, and so shall it be done with regard to rivers which have been placed in fence in Our time. All evil customs concerning forests and warrens, foresters, warreners, sheriffs, and their officers, rivers and their conservators, shall be immediately inquired into each county by twelve sworn knights of such shire, who must be elected by honest men thereof, and within forty days after making the inquisition they shall be altogether and irrevocably abolished, the matter having been previously brought to Our knowledge or that of Our Chief Justiciary if We Ourself shall not be in England. We will immediately give up all hostages and charters delivered to Us by the English for the security of peace and the performance of loyal service. We will entirely remove from their bailiwicks the kinsmen of Gerard de Atyes, so that henceforth they shall hold no bailiwick in England, Engelard de Cygoyney, Andrew, Peter, and Gyon de Cancelles, Gyon de Cygoyney, Ralph de Martiny and his brothers, Philip Marc[el] and his brothers, and Ralph his grandson, and all their followers, and directly after the restoration of peace We will dismiss out of Our kingdom all foreign soldiers, bowmen, serving men, and mercenaries, who come with horses and arms to the nuisance thereof. If any one shall have been disseised or deprived by Us, without the legal judgment of his peers, of lands, castles, liberties, or rights, We will instantly restore the same, and if any dispute shall arise thereupon, the matter shall be decided by judgment of the twenty-five barons mentioned below for the security of peace. With regard to all those things, however, whereof any person shall have been disseised or deprived, without the legal judgment of his peers, by King Henry Our Father, or Our Brother King Richard, and which remain in Our hands or are held by others under Our warranty, We will have respite thereof till the term commonly allowed to the crusaders, except as to those matters on which a plea shall have arisen, or an inquisition have been taken by Our command prior to Our assumption of the Cross, and immediately after Our return from Our pilgrimage, or if by chance We should remain behind from it, We will do full justice therein. We will likewise have the same respite and in like manner shall justice be done with respect to forests to be disafforested or let alone, which Henry Our Father or Richard Our Brother afforested, and to wardships of lands belonging to another's fee, which We have hitherto held by reason of the fee which some person has held of Us by knight's service, and to abbeys founded in another's fee than Our own, whereto the

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lord of that fee asserts his right. And when We return from Our pilgrimage, or if We remain behind therefrom, We will forthwith do full justice to the complainants in these matters. No one shall be taken or imprisoned upon a woman's appeal for the death of any other person than her husband. All fines unjustly and unlawfully made with Us, and all amercements levied unjustly and against the law of the land, shall be entirely condoned or the matter settled by judgment of the twenty-five barons of whom mention is made below, for the security of peace, or the majority of them, together with the aforesaid Stephen, Archbishop of Canterbury, if he himself can be present, and any others whom he may wish to summon for the purpose, and if he cannot be present the business shall nevertheless proceed without him. Provided that if any one or more of the said twenty-five barons be interested in a plaint of this kind, he or they shall be set aside, as to this particular judgment, and another or others elected and sworn by the rest of the said barons for this purpose only, be substituted in his or their stead. If We have disseised or deprived the Welsh of lands, liberties or other things, without legal judgment of their peers, in England or Wales, they shall instantly be restored to them, and if a dispute shall arise thereon the question shall be determined on the Marches by judgment of their peers according to the law of England with regard to English tenements, the law of Wales respecting Welsh tenements, and the law of the Marches as to tenements in the Marches. The same shall the Welsh do to Us and Ours. But with regard to all those things whereof any Welshman shall have been disseised or deprived, without legal judgment of his peers, by King Henry Our Father or Our Brother King Richard, and which We hold in Our hands or others hold under Our warranty, We will have respite thereof till the term commonly allowed to the crusaders, except as to those matters whereon a plea shall have arisen or an inquisition have been taken by Our command prior to Our assumption of the Cross, and immediately after Our return from Our pilgrimages, or if by chance We should remain behind from it, We will do full justice therein, according to the laws of the Welsh and the parts aforesaid. We will immediately give up the son of Llewellyn and all the Welsh hostages, and the charters which were delivered to Us for the security of peace. We will do the same with regard to Alexander, King of the Scots, in the matter of giving up his sisters and hostages, and of his liberties and rights, as We would with regard

to Our other barons of England, unless it should appear by the charters which We hold of William his father, late King of the Scots, that it ought to be otherwise, and this shall be done by judgment of his peers in Our Court. All which customs and liberties aforesaid, which We have granted to be enjoyed, as far as in Us lies, by Our people throughout Our kingdom, let all Our subjects, clerks and laymen, observe, as far as in them lies, towards their dependants. And whereas We, for the honour of God and the amendment of Our realm, and in order the better to allay the discord arisen between Us and Our barons, have granted all these things aforesaid, We, willing that they be for ever enjoyed wholly and in lasting strength, do give and grant to Our subjects the following security, to wit, that the barons shall elect any twenty-five barons of the kingdom at will, who shall, with their utmost power, keep, hold, and cause to be holden the peace and liberties which We have granted unto them, and by this Our present Charter confirmed, so that, for instance, if We, Our Justiciary, bailiffs, or any of Our ministers, offend in any respect against any man, or shall transgress any of these articles of peace or security, and the offence be brought before four of the said five and twenty barons, those four barons shall come before Us, or Our Chief Justiciary if We are out of the kingdom, declaring the offence, and shall demand speedy amends for the same. And if We or in case of Our being out of the kingdom, Our Chief Justiciary, fail to afford redress within the space of forty days from the time the case was brought before Us or Our Chief Justiciary, the aforesaid four barons shall refer the matter to the rest of the twenty-five barons, who, together with the commonalty of the whole county, shall distrain and distress Us to the utmost of their power, to wit, by capture of Our castles, lands, possessions, and all other possible means, until compensation be made according to their decisions saving Our person and that of Our Queen and children, and as soon as that be done they shall return to their former allegiance. Any one whatsoever in the kingdom may take oath that, for the accomplishment of all the aforesaid matters, he will obey the orders of the said twenty-five barons, and distress Us to the utmost of his power; and We give public and free leave to every one wishing to take such oath to do so, and to none will We deny the same. Moreover We will compel all such of Our subjects who shall decline to swear to, and together with the said twenty-five barons to distrain and distress Us of their own free

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will and accord, to do so by Our command as is aforesaid. And if any one of the twenty-five barons shall die or leave the country, or be in any way hindered from executing the said office, the rest of the said twenty-five barons shall choose another in his stead, at their discretion, who shall be sworn in like manner as the others. And in all cases which are referred to the said twenty-five barons to execute, and in which a difference shall arise among them, supposing them all to be present, or that all who have been summoned are unwilling or unable to appear, the verdict of the majority shall be considered as firm and binding as if the whole number should have been of one mind. And the aforesaid twenty-five shall swear to keep faithfully all the aforesaid articles, and, to the best of their power, cause them to be kept by others. And We will not procure, either by Ourself or any other, anything from any man whereby any of the said concessions or liberties may be revoked or abated; and if any such procurement be made let it be null and void; it shall never be made use of either by Us or any other. We have also wholly remitted and condoned all ill-will, wrath, and malice which have arisen between Us and Our subjects, clerks and laymen, during the disputes, to and with all men; and We have moreover fully remitted, and as far as in Us lies, wholly condoned to and with all clerks and laymen all trespasses made in consequence of the said disputes from Easter in the sixteenth year of Our reign till the restoration of peace; and, over and above this, We have caused to be made in their behalf letters patent by testimony of Stephen, Archbishop of Canterbury, Henry, Archbishop of Dublin, the Bishops above-mentioned, and Master Pandulph, upon the security and concession aforesaid. Wherefore We will, and firmly charge, that the English Church be free, and that all men in Our Kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely, quietly, fully, and wholly, to them and their heirs, of Us and Our heirs, in all things and places for ever, as is aforesaid. It is moreover sworn, as well on Our part as on the part of the Barons, that all these matters aforesaid shall be kept in good faith and without malengine. Witness the above-mentioned Prelates and Nobles and many others. Given by Our hand in the meadow which is called Runnymede between Windsor and Staines, on the Fifteenth day of June in the Seventeenth year of Our reign. LINCOLN.

(*Indorsed*) Agreement between King John and the Barons by grant of liberties to the Church and Kingdom of England.

LINCOLN.

# Part III.

# AGE OF DECLINE.

1303—1515.

# CHAPTER XIII.

## *THE POPES AT AVIGNON.*

(1309—1378.)

*Super flumina Babylonis illic sedimus et flevimus, cum recordaremur Sion.*—Ps. CXXXVI. [CXXXVII.] 1.

CHAP. XIII.

UNDER Innocent III. and his immediate successors the Papacy had attained its greatest power. The gigantic oak of the Holy Empire had spread forth its branches and overshadowed all lands. Glorious in its own luxuriance, it could henceforth only await the slow decline of time, and the storms which would break it to pieces in ages to come. Already under Boniface VIII. the signs of a coming tempest were gathering in the horizon. The sharp breeze which in his time set from France against Rome portended evil. Now Boniface was dead: the breeze had increased to a gale; and the first storm which, sweeping over the Mediaeval Papacy, left it despoiled of a portion of its power, was the successful assertion of their political authority by the kings of France during the seventy years' residence of the Popes at Avignon. That change of residence, marking as it does the time when the glories of the Papacy were over, and when it lost the political supremacy which it had previously

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enjoyed, has not inaptly been called the Babylonish captivity. It was the beginning of a new epoch in the history of the Papacy and the history of the Empire—a period of decline for both. The work of the Middle Ages was complete. The fabric which the last six centuries had been employed in building, the next two centuries were engaged in destroying. History is never in repose. No sooner is progress arrested than decay immediately supervenes.

A. *Loss of political supremacy under Benedict XI. and Clement V.* A.D. 1303–1315

Amongst other losses which the change of residence frome Rome to Avignon entailed, one of the foremost was the loss of political power. Still, even before that change, the decline of the Pope's political power was visible. During his short reign of eight months, Benedict XI.,[1] who succeeded Boniface VIII., presented the spectacle of a Pope independent in spirit, but in fact unable to hold his own against the machinations of the French king. His independence of spirit was, however, too much for his own safety. Possibly it was the cause of his death, if the report that he died by poison is to be believed. A Pope enjoying the independence of an Innocent III. or Innocent IV. would never have repealed the acts of his predecessor immediately on his own elevation. But by Benedict the king, the prelates, the barons, and the people of France were declared absolved from the excommunication pronounced on them by Boniface VIII.; the censures against the contumacious prelates were rescinded; the tenths on the

(1) *Benedict XI.* 1303–1304

[1] Benedict VIII. died in October 1303. Benedict XI. succeeded, dying in July of the following year, see LABBÉ, xiv. 1359, and was followed by Clement V.

clergy were granted for two years to the king; the Bull *Clericis Laicos* was mitigated. These acts, apparently emanating from Benedict's free-will, place beyond dispute the fact that the zealous Dominican was not really free, but that he hoped by timely concessions to retain at least a portion of his power. When, however, Philip, not content with these concessions, despatched an embassy to Rome, to persecute the memory of Boniface VIII., the step was more than Benedict could tolerate. The spirit of defiance was awakened within him. A Bull was published pronouncing sentence of excommunication on the actors of the tragedy at Anagni. Twenty days later Benedict was a corpse.[1]

(2) *Clement V.* A.D. 1305–1314

(a) *General loss of independence.*

Well would it have been for the Popes if they had never lost more power than they did under Benedict XI. A far different fate awaited them under Clement V.,[2] who removed the papal residence to Avignon, and under his successors who resided in the same city. It was clear that in the face of a powerful monarch, such as was Philip the fair of France, with the altered sentiments of the Catholic laity—a stronger feudal tie, a greater indifference to ecclesiastical censures—it was no longer possible for the Pope to enjoy the independence and supremacy which had humbled the Emperor Frederic. But it

[1] See NEAND. ix. 26; MILMAN, vol. vii. book xi. ch. x. p. 156 (small edition); GIES. vol. iii. sec. 59, p. 155.

[2] Benedict XI. died July 7, 1304. Clement V. was elected to succeed him June 5, 1305. Clement V. died April 20, 1314, and was succeeded by John XXII. For Clement's life, see LABBÉ, xiv. 1369.

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was a question, how much of their independence would have to be sacrificed; whether concessions like those of Benedict XI. would be enough, or whether they would be reduced to a state of servile dependence on some emperor or king. On the one hand, the Italian cardinals were anxious to sacrifice as little as possible; on the other hand, the French cardinals, prompted by a blind hatred to Boniface, were straining every nerve to bring Rome under the influence of the French king. On the decease of Benedict the struggle between the two parties lasted long. For nine months the election of a Pontiff was delayed, neither party agreeing to the candidate belonging to the other section. At length the crafty cardinal, Du Prat, dexterously contrived to secure the election of a Frenchman, who took the name of Clement V., and who was already bound by a secret compact to do Philip's bidding.

(*b*) *His election.*

The means by which this result was obtained deserve to be noticed, as explaining the state of dependence on the French king to which the Pope was now reduced. Owing to the continued disagreement between the cardinals, it was arranged that three individuals should be selected by the Italian cardinals from their own number, and that of the three so selected, one should be chosen by the French cardinals as the future Pope. But no sooner had the three been nominated by the Italian cardinals than Du Prat, knowing the value of the prize which the French cardinals had to bestow, entered into private communications with Philip, and with the Bishop of Bordeaux, one of the three nominees.

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The prospect of the papal dignity was too much for the ambitious bishop. To secure it he was ready to change his principles; to give up the cause of Boniface, to which he had hitherto adhered; to support the cause of Philip, and to pledge himself to observe six conditions, the chief among them being that he should reconcile the king to the Church, pardon everything that had taken place, give up the tenths for five years, restore to the Colonnas their dignities, promote several of the king's friends to the rank of cardinals, institute a searching investigation into the heresies of Boniface, and even promise to observe one more, which for the present was kept a profound secret.[1]

*(c) Removes to Avignon.* A.D. 1309

Notwithstanding the humiliating conditions to which Clement V. had been obliged to submit, in order to obtain the papal dignity, it was open to him to take an independent line after his appointment, had he only been residing in Rome, free from the influence of the court of France. But to complete his miserable dependence, and to undo all that Boniface had done, Clement, following his own inclination, yielded to the wishes of the French king, and remained in France. The ceremony of his coronation was performed at Lyons, and in the year 1309, Clement took up his residence in the city of Avignon. It was a truly disastrous policy for the Roman Church. The free political condition of Rome had in times past largely contributed

[1] NEAND. ix. 27. See the two accounts by cotemporaries in MURATORI, *Script. Rer. Ital.* ix. 1014, and xiii. 415.

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to the political triumphs of the Papacy. Henceforth the political dependence of Avignon was destined to involve the Papacy in political decline. The Popes at Avignon were often little better than tools of the French kings. They served those kings in matters which were directly opposed to their spiritual vocation. They made themselves contemptible by their conduct. The papal court became the seat of a corruption greater than had prevailed before. The Popes at Avignon elevated to the highest dignities men the least fitted by age, character, or education—their own relatives, or the nominees of the French court; and the cardinals in a foreign city abandoned themselves to every species of luxury and debauchery, seeking in a vortex of profligacy to forget the servitude of the Church.[1]

*(d) Dependence on Philip.*

*(a) Prevents Charles' election by stealth.*

A.D. 1308

It was now absolutely impossible for a Pope to oppose the wishes of a king of France except by stealth; and this fact Clement soon discovered, when those wishes affected the bestowal of an Empire. The cherished plan of Philip, by which he thought to elevate his brother Charles of Valois to the imperial throne, and to use the Pope as the instrument for carrying it into execution,—this plan, the sixth condition imposed on Clement, which had been kept a profound secret, could only be frustrated by guile and deception. It was a plan which would have thrown the destinies of Europe into the house of Valois, and doubled the servitude of the Popes. Not trusting the Pope's fidelity,

[1] See NEAND. ix. 28.

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Philip resorted to stealth to enforce the execution of this plan; and suddenly surprising Clement with a band of armed followers, carried him off prisoner. Stealth was met by equal stealth. Employing the agency of the same cunning Du Prat, who had secured for him the Papacy, Clement, whilst ostensibly granting the king's request, secretly invited the German princes to hasten the election of Henry of Luxemburg:[1] and actually he gained his point. But though successful in this instance, his success was secured by low and underhand dealing. It was the success of cunning, not the success of strength. He did not meet with equal success in opposing other measures which Philip forced upon his notice.

(β) *Proceedings against Boniface VIII.* A.D. 1310–1311

Thus he could not prevent proceedings being instituted in his court against his predecessor and former patron, Boniface VIII., against whom charges were preferred by the unflinching adherents of Philip, until Aragon and Spain were startled, and begged the Pope to put a stop to the scandalous spectacle.[2] In this emergency Clement V., unwilling to see his patron impeached, but unable to refuse the demands of the French king, resorted to an expedient which had been twice suggested in the time of Boniface, and which was then taken to be indicative of decay

[1] NEAND. ix. 29; GIES. vol. iv. sec. 98, p. 7; VILLANI, lib. viii. c. ci. fol. 437.

[2] As early as 1307 Philip pressed the Pope to condemn his predecessor. See VILLANI, lib. viii. c. xci. The Pope was forced in 1309 to open a formal inquiry into the conduct of Boniface VIII. in which Nogaret and Du Plessis were the accusers. See DU PUY, *Hist. du différend entre le Pape Boniface VIII et Philippe-le-Bel*, p. 325, fol. Paris, 1655.

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in the papal power: he induced Philip to suspend his charges for the present, in order to refer the matter to a general council which was about to meet at Vienne. Philip consented. The matter was brought before the council, and the result was that the memory of Boniface was vindicated.[1] Nevertheless the dignity of the Pope suffered in consequence of that reference. For the council, not the Pope, cleared his predecessor's memory. And, moreover, to protect Philip, a declaration was set forth by Clement securing the king against the consequences which might flow from his acts against Boniface, and expunging or altering the expressions in the previous Bulls which were hostile to the interests of France.

(γ) *Abolition of the Templars.* A.D. 1311

Not less servile was Clement's conduct in the condemnation of the Templars. The wealth of that order had incurred the jealousy of many, and above all had excited the greediness of the French king. Suddenly in the year 1307, all the Knights Templars in France were by Philip's order arrested.

[1] The decision of the Council might have been foreseen, if the language of the Bull of April 27, 1311, is considered. That Bull in RAYNALDI, ad h. an. no. 26, has the following amongst other passages: 'Nos . . . apud eundem Regem . . . institimus, . . . 'ut rejectis anfractibus denunciationum et objectionum hujusmodi, '. . . ipsius negotii persecutionem nostrae et Ecclesiae ordinationi 'relinqueret. . . . Et si qua calumnia, macula, sive nota ex prae-'missis denunciationibus, . . . aut quibuscunque contumeliis, 'blasphemiis . . . eidem Bonifacio . . . illatis, praefato regi, 'posteritati suae, . . . et denunciatoribus, . . . nec non et adju-'toribus . . . ex captione, insultu et aggressione praedictis . . . 'impingi, imponi, vel imputari possent in posterum quoque modo; 'hujusmodi calumnias, notas, maculas . . . totaliter abolemus et 'tollimus.'

The sovereign Pontiff took no steps to interfere. The trials were conducted in the most arbitrary manner. Many of the accused were condemned unheard. Clement, it is true, protested against charges of infidelity and heresy being entertained by a secular tribunal, but beyond protesting he dared not go. Finally, when he saw that Philip was intent on destroying the whole Order, he joined the king in carrying on proceedings against them, and after three years of persecution, at the council of Vienne, declared the Order abolished.[1] Strange charges were preferred against those knights.[2] Perhaps they were

[1] The sentence in LABBÉ, xv. 22, May 2, 1312. The order was dissolved, and their property bestowed on the Hospitallers : 'Dudum siquidem Ordinem domus militiae templi Hierosolymitani 'propter magistrum et fratres . . . variis, . . . infandis obscoenitatibus, pravitatibus, maculis et labe respersos, . . . ejusque Ordinis 'statum, habitum, atque nomen, . . . non per modum diffinitivae 'sententiae, cum eam super hoc secundum inquisitiones et processus super his habitos non possemus ferre de jure, sed per 'viam provisionis, seu ordinationis apostolicae, irrefragibili, et perpetuo valitura sustulimus sanctione.'

[2] LABBÉ, xv. 42 : 'Depositum nempe fuit contra Templarios, 'et compertum, quod quando receperunt quenquam ad ordinem, 'amotis omnibus exceptis fratribus ejusdem ordinis, adduxerunt 'illum ad locum privatum, et totaliter denudaverunt, et tunc unus 'accederet ad eundem, et eum oscularetur in posteriori parte, 'deinde induceretur et cingeretur corrigia de sambuco. Et post 'crux portaretur, et ibi diceretur sibi, quod crucifixus non est 'Christus, sed quidam falsus propheta deputatus per Judaeos ad 'mortem propter delicta sua, et fecerunt eum ter spuere super 'illam, et postea projecerunt crucem ad terram, et eam pedibus 'conculcari fecerunt, deinde ostenderunt sibi caput cujusdam idoli, 'quod quotidie adorabant. Et praeter haec depositum est contra 'eos, quod vitio foedabantur Sodomitico, statuentes quod nullus 'utatur mulieribus, sed quilibet alterutro, cum voluerit.'

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true; more probably they were not so; but whether true or not, they were, at least, not the causes of the condemnation of the Templars. That condemnation was the result of other causes. It was proposed by Philip, with the view of depriving a powerful corporation of their wealth. It was carried out by the Pope, thanks to the servile dependence of Clement on Philip.

*(e) High claims of the Popes.*

Nothing daunted by their own actual condition of dependence, the Popes at Avignon were not behind their predecessors in advancing their claims to power; nor had these claims grown less as time advanced. They seem, in fact, to have increased in proportion as the real power of the Popes diminished. Before the kings of France, these pretensions were always kept in abeyance, but they were asserted all the more strongly towards other princes, and in particular towards such as might chance to incur the hostility of France.

*(n) Conduct towards Venice.*

A quarrel about the possession of Ferrara had involved the Pope in a struggle with Venice. Venice was in consequence visited with the ecclesiastical ban. Not content with that punishment, Clement pronounced sentence of secular outlawry on the Venetians with such terrible threats that the historian, Raynald, is ashamed to communicate in full the penalties threatened, and only gives a report of them.[1]

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[1] RAYNALD. an. 1309, no. 6 (quoted by GIES. vol. iv. sec. 98, p. 14): 'Ni parerent, sacrorum usu et commercio publico Vene-
'torum omnem ditionem privavit: incessit infamiae notam magis-
'tratibus, legum et judiciorum beneficio privatos pronunciavit,
'viros ecclesiasticos abire ditione Veneta jussit, exceptis iis, qui
'baptismalia infantibus et morituris confessionis sacra conferrent.

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The sentence was not only pronounced, but executed; and Venice could not obtain absolution until, as happened four years later, she professed unconditional submission.

(β) *Struggle with Henry VII.*

Not less overbearing was Clement's conduct towards the emperor Henry VII., with whose reign the heyday of the Empire closes as that of the Papacy does with the administration of Boniface VIII. Both the Papacy and the Empire had risen by mutual assistance from the time of Pope Stephen II. to that of Gregory VII.; both now declined by injuries mutually inflicted. Since the death of Frederic II., no emperor had attempted to vindicate the ancient rights of the Empire in Italy; since that time the Popes had celebrated some of their greatest triumphs in Germany. But in Henry VII. the old chivalric spirit of the Hohenstaufen, with all their dreams of imperial greatness and imperial glory, revived, shedding a lustre on a power which was soon destined to become a mere name, a shadow, and an empty-sounding title. Success attended Henry's efforts across the Alps. Supported by the old respect for the imperial name, supported too by Clement V., who dreaded at the same time that he served the ambition of the French king, Henry at first found the cities of Lombardy willing to receive him, and was crowned at Rome on the southern bank of the Tiber. Was this success too great to please

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'Denum si in coeptis perstarent, praefixo ad veniam poscendam 'tempore, ducem insignibus ducalibus exuendum, et omnes Vene- 'torum fortunas fisco addicendas, regumque in eos imploranda 'arma pronunciavit, donec Ferrariam Ecclesiae restituissent.'

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Clement? Or had he hitherto only acquiesced in Henry's projects, waiting till a fitting opportunity should occur to compass his own ends? Whatever his motives may have been, the fact is beyond dispute that Henry was no sooner involved in open hostilities with Robert, King of Naples, whom he treated as a vassal of the Empire, than Clement V. put forth his claims to power; and not content with asserting his own feudal sovereignty over Sicily, ventured, in the spirit of the haughtiest of his predecessors, to address both the emperor and Robert as his own vassals, bidding them refer to himself the matter in dispute, as their feudal superior.[1] Once again a struggle between a Pope and an emperor seemed on the verge of breaking out, in this case the Pope being comparatively weak, and the emperor comparatively strong, when sudden death carried off Henry at Siena; and Clement, left without an opponent, promulgated in a formal Bull[2] the superiority of the papal to the imperial power. The same year he died himself.

A.D. Aug. 24, 1313

March 21, 1314

[1] In RAYNALD. an. 1312, no. 44, Clement writes to Henry and Robert: 'Quod cum ipsi Reges, ejusdem Ecclesiae specialissimi 'filii, sibi juramento fidelitatis et alias multipliciter essent adstricti, 'ipsius Ecclesiae debeant esse promptissimi defensores.'

[2] *Clementin.* lib. ii. tit. ix.: 'Romani Principes . . . non reputaverunt indignum . . . Romano Pontifici, a quo approbationem 'personae, ad imperialis celsitudinis apicem assumendae, necnon 'unctionem, consecrationem, et Imperii coronam accipiunt, se 'adstringere vinculo juramenti. . . . Nos, ne quis in Romanum 'assumptus Principem, vel in posterum assumendus, an juramentum hujusmodi . . . fidelitatis rationabiliter dici possit, in dubitationem ducere audeat, vel super hoc contrarium adstruere veri-

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B. *Struggles of the Popes for power* A.D. 1316–1347

(1) *Attempts to regain independence from France.*

(a) *John XXI.* 1316–1334

1316–1322
1322–1328
1328–1350

And now began a new series of struggles on the part of the Popes, John XXI., Benedict XII., and Clement VI.,[1] to regain their independence, and to reassert their supremacy. In both these attempts they were destined to meet with failures. Whatever they might attempt, it was impossible for them to be politically independent, as long as they continued to reside at Avignon, as those who ventured on an impracticable project soon learned to their cost. If Clement V. was powerless to do anything against the wishes of Philip the Fair, John XXI., who succeeded him, found himself equally paralysed under Philip's successors, Philip V., Charles IV., and Philip VI. By the last-named king he was not only deprived of such independence as he still possessed, but his liberty of action in purely ecclesiastical matters was imperilled also. An assembly of prelates and theologians was convened by the king, on the fourth Sunday in Advent in the year 1333, at the castle of Vincennes, and two questions were laid before it, touching opinions which John had uttered as to the state of the soul after death.[2] To guard

'tati : auctoritate apostolica de fratrum nostrorum consilio . . . 'declaramus, illud juramentum fidelitatis existere ac censeri 'debere.'

[1] After a two years' vacancy John XXI. [XXII.] became Pope, August 7, 1316. He died December 4, 1334. For his life, see LABBÉ, xv. 147. Benedict XII. followed December 20, 1334, dying April 25, 1342. His life, *ibid.* p. 419. Next after Benedict XII. came Clement VI. May 7, 1342. He died December 6, 1352. For his life, *ibid.* p. 563.

[2] The two questions were : '(1) Whether the holy souls in 'heaven would be able to behold God's essence before the resur- 'rection and day of judgment? and (2) Whether the same intuition

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the honour of the Pope, it was remarked that John had given no definite opinion, but only expressed himself problematically. Nevertheless, a decision was given by the council adverse to the Pope.[1] A copy of the decision was forwarded to John together with a private intimation from Philip, that the fagot awaited him in case he refused to recant.[2] So complete was John's dependence on the king, that he drew up a letter, which was not published, however, till after his death, enunciating a view the very opposite of what he had previously held, and declaring that purified souls found themselves at once after death in heaven or paradise.[3]

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'of the divine essence, which they now enjoy, would be renewed 'at the day of judgment or another?' See BULAEI *Hist. Univ. Paris.* tom. iv. p. 237; NEAND. ix. 50.

[1] Their decision, given January 2, 1333, may be found in D'ARGENTRÉ, i. 316. It ruled: 'Quod a tempore mortis Domini 'nostri Jesu Christi, per quam pretium redemptionis humani 'generis extitit persolutum, omnes animae SS. Patrum, quas idem 'Salvator noster ad inferos descendens eduxit de limbo, caetero-'rumque fidelium animae, quae de corporibus exierant, nihil 'habentes purgabile, vel quae jam in Purgatorio sunt purgatae, ad 'visionem nudam et claram, beatificam, intuitivam et immediatam 'divinae essentiae et benedictissimae Trinitatis . . . erunt as-'sumptae, ipsaque Deitate beata perfecte fruuntur. . . . Quan-'quam dicta visio, quam nunc habent, resumptis corporibus 'minime evacuabitur, alia succedente, sed ipsamet in eis, cum sit 'earum vita aeterna, perpetuo remanebit.'

[2] 'Qu'il se revoquast, ou qu'il le feroit ardre.' BULAEI *Hist. Univ. Par.* tom. iv. p. 238.

[3] Ep. i. LABBÉ, xv. 149: 'Fatemur siquidem et credimus quod 'animae purgatae separatae a corporibus, sint in coelo, caelorum 'regno, et paradiso cum Christo in consortio angelorum congre-'gatae, et videant Deum facie ad faciem et Divinam essentiam 'clare, in quantum conditio et status patitur animae separatae.'

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*(b) Benedict XII.* A.D. 1334–1342

Notwithstanding the state of humiliation to which John XXI. was reduced, one attempt was made by his successor, Benedict XII., himself a severe reformer, to cure the evils from which the Papacy was suffering. Nepotism found no favour in his eyes. His relations could get nothing from him. The vacant sees were filled with able and pious men. The degenerate clergy, especially the monks, were severely censured. His reforms stirred up the voice of slander. He was charged with being harsh and covetous, given to drinking, and the author of the saying, 'Bibamus Papaliter.' The charges were probably unfounded.[1] Above all, with the view of shaking off the bondage of France, he formed the intention of returning to reside in Italy, and making terms with the German emperor, Lewis IV. The former part of the project was frustrated by the preponderance of the French cardinals who refused to exchange Avignon for Rome.[2] As to the latter, Philip always contrived to prevent an actual reconciliation between the Pope and the emperor from being brought to pass. Benedict XII. ended his career as he had begun, still wholly dependent on the court of France; nor did his worldly-minded successor, Clement VI., share the same desires as his pious and ascetic predecessor.

*(2) Attempts to gain supremacy in Germany.*

The policy of the earlier Popes at Avignon appears to have been to indemnify themselves for their dependence on France by advancing their pretensions to power in Germany. Weak, avaricious,

[1] NEAND. ix. 54.

[2] RAYNALD. an. 1335, No. 3.

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and luxurious themselves, they had most commonly to encounter emperors who were weak and powerless also. Hence, the struggles between the emperors and the Popes, which had once gone on when both the Empire and the Papacy were in the height of their glory, were repeated in a milder form when both were decaying; and lasted for some time between opponents nearly evenly matched. Those struggles are no longer struggles between the two foremost powers of Europe. It is no longer a question whether the Pope or the emperor shall be the supreme head of western Christendom; for the spell which the name of both once exercised over the mind of society has been broken. Both are declining institutions, names commanding respect and veneration, but no longer names of power and dread. The Pope is powerless, a slave of the French king. The emperor is powerless, dependent on the great electors.

(*a*) *First struggle between Lewis IV.* A.D. 1314–1347 *and John XXI.* 1316–1334

The first struggle between the Pope and the emperor broke out after the death of Henry VII., when Frederic of Austria and Lewis of Bavaria were candidates for the Imperial dignity. An opportunity seemed to have occurred of practically applying the Bull lately issued by Clement V. John XXI. was anxious not to lose the opportunity, and tried to bring the decision into his own hands. Virtually, the battle of Mühldorf had already settled the dispute in favour of Lewis. For Lewis had taken his antagonist prisoner, and was acting as emperor without waiting for the papal confirmation. For doing so, John XXI. summoned him to account,

Sept. 28, 1322

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A.D. March 21, 1324

and finding that he persisted in deriving his rank from the choice of the electors, he pronounced on him the sentence of excommunicated, and laid those parts of Germany where he was recognised under the interdict.[1]

(α) *Popular sympathy with Lewis IV.*

Several circumstances which happened during the course of this struggle show the decline of the power of the Papacy in a very clear light. It is characteristic that Lewis in his reply to the Pope derives his rank from the choice of electoral princes. Would such a view have found general acceptance among the German people after the Council of Lyons, in the time of the Hohenstaufen? And more than that, not only was Lewis supported by the Ghibellines in Italy, but he was supported by popular opinion, once the most powerful ally of the See of Rome, now the most dangerous among its opponents. That fact, if nothing else, shows that the spell of reverence for the Popes was broken.

(β) *Emperor appeals to a general council.*

Moreover, it was indicative of an altered respect for the Popes, that Lewis should appeal from the Pope to a general council. Two such appeals had

[1] GIES. vol. iv. sec. 99, p. 20. The protest of Lewis before a notary and witnesses at Nuremberg, December 16, 1323, is there quoted from OLENSCHLAGER'S *Urkundenbuch*, p. 84: 'A tempore, 'cujus non est memoria, circa electos Romanorum Reges et 'Principes sic est de jure et consuetudine observatum, . . . 'quod Romanus Rex eo solum, quod electus est a Principibus 'Electoribus . . . omnibus vel majori numero eorundem, et 'coronatus corona regia in solitis locis et consuetis, Rex est . . . 'et jura Regni libere administrat. . . . Nec concedimus, ita sim-'pliciter ut proponitur, ad sedem apostolicam examinationem, 'admissionem et approbationem electionis et personae nostrae, '[aut] repulsionem et reprobationem, sicut asserit. . . .'

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been made in the time of Boniface VIII. They were then noticed as the harbingers of decline. Once since then, Clement V. had referred the enquiry into his predecessor's conduct from his own tribunal to that of a general council. Here, however, was the spectacle of an emperor, appealing from the pretensions of a Pope, who was using spiritual weapons for secular purposes, to a general council, and appealing with the consent and approval of the greater part of his subjects.[1] The example set by Lewis in 1324 was followed by Philip some nine years later, when he consulted a body of divines respecting the supposed heresies of the same Pontiff.

A.D. 1324

(γ) *Lewis sets up an antipope, Nicolas V.*

1328

But that consent and approval, in short, the support of his people, was the unfortunate cause of turning the head of Lewis, and leading him to take a step most injurious to his own interests. The exaggerated advocacy of Marsilius of Padua, and John of Jandun, did more harm than good to his popularity,[2] whilst, at the same time, they encouraged his temerity. The ancient device of appointing an antipope was once more resorted to, and on the

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[1] BALUZ. *Vitae PP. Aven.* vol. ii. p. 478, in May 1324: 'Nos 'Ludovicus Dei gratia Romanorum Rex semper Augustus pro- 'ponimus contra Johannem, qui se dicit Papam XXII, quod ini- 'micus sit pacis, et intendit ad discordias et scandala suscitanda. '. . . Ad generale Concilium, quod instanter et cum instantia 'repetita in loco tuto nobis et nostris convocari petimus, et ad 'rerum legitimum futurum summum Pontificem, et ad sanctam 'matrem Ecclesiam et apostolicam sedem, et ad alium vel ad alios, 'ad quem vel ad quos fuerit appellandum, provocamus et appel- 'lamus.'

[2] GIES. vol. iv. sec. 99, p. 26.

place in front of St. Peter's at Rome, an assembly was convened in the year 1328, before which John XXI. was charged with being a heretic. The charges were significant. John was said to have replied when he was urged to war against the Saracens, that there were Saracens enough at home. He had taught that Christ and his apostles held property, whereas He had ever loved poverty. He was further charged with aspiring to secular power, contrary to the command of Christ, who would have the things of Caesar rendered to Caesar, and who had taught that his kingdom was not of this world.[1] For these crimes, sentence of deposition was pronounced on him; and by a second assembly, held in the same place on Ascension Day, an antipope was elected who took the name of Nicholas V.[2]

A.D. April 18, 1328

May 12, 1328

(δ) *Depression of Lewis.*

But Lewis was not able to follow up this step. The Pope's political power had greatly declined, it is true; but to see the Vicar of Christ deposed by imperial authority was too great a shock for that

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[1] April 18, 1328. BALUZ. *Vitae PP. Aven.* ii. 512: 'Ludovicus 'Dei gratia Romanorum Imperator et semper Augustus in per- 'petuam rei memoriam. . . . Eapropter ex imperialis celsitudinis 'debito excessus enormes Jacobi de Caturco, qui nunc se Papam 'Johannem XXII. asserere non veretur, . . . nullatenus sufferre 'valentes . . . in Italiam venimus. . . . Quapropter ipsum Jaco- 'bum in haeresi deprehensum, . . . quia haeresim publice prae- 'dicat, perfectionem altissimae paupertatis in Christo penitus 'denegando . . . eo quod indigne gerit et gessit vicariatus offi- 'cium . . . a Christo privatum esse . . . denunciamus, nostraeque 'imperialis auctoritatis sententia episcopatu Romano et universalis 'Ecclesiae Dei seu Papatu . . . privamus.'

[2] *Ibid.* p. 522, May 12, 1328. See VILLANI, x. c. 71; NEAND. ix. p. 49.

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age. 'Wise men in Rome were much disturbed thereat, and the rest of the simple folk did not greatly exult.[1] Lewis was obliged to flee from Italy, fresh anathemas followed him on his return into Germany:[2] the antipope, Peter of Corvaro, was compelled to submit, and to beg for absolution; and Lewis, wearied with persecution, made offers of submission, all of which were rejected by John XXI. At length, finding his crown too burdensome to be borne, he resolved to resign it in despair.[3]

A.D. 1332

*(b) Second struggle between Lewis IV. and Benedict XII.* 1334–1342

*(a) The Estates decide against the Pope.*

The sufferings of Lewis did more for him than his successes. The struggle was renewed, this time with another Pope. For John XXI. had escaped by death from the council which was preparing to judge him. Nothing shows more clearly the decline of the Pope's power, than the conduct of the estates and the electoral princes, when Lewis' last endeavour to be reconciled with Benedict XII. had failed. The estates assembled at Frankfurt. They pronounced the papal sentence of excommunication invalid, declaring upon oath that the services so long intermitted throughout the length and breadth of the land ought by rights to be continued.[4] The

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[1] VILLANI, x. c. 68.

[2] April 20, 1329, and June 25, 1329. See GIES. vol. iv. sec. 99, p. 39.

[3] See the authorities quoted by GIES. vol. iv. sec. 99, p. 42.

[4] JO. VITADURAMUS, p. 49: 'Qui discutientes causas et motiva 'singula tam Papae quam Imperatoris, diligentesque examinantes '. . . repererunt, Imperatorem cuncta, quae debuit, sufficienter 'peregisse, et sibi aditum et accessum omnis gratiae et justitiae 'interclusum, et obstructum, et indiscrete temereque penitus dene-'gatum. Sententia ergo matura et unanimi Principes etiam

CHAP. XIII.

A.D. July 15, 1338

electoral princes withdrew to Rense, and there made a formal declaration that the Roman king receives his rank and power solely from the choice of the electoral princes.[1] This was the first electoral league, and this declaration was immediately afterwards established as the law of the land.[2] Public opinion was general in behalf of Lewis; and the clergy who wished to maintain the interdict were banished. All these were important steps; but among them the most important without doubt was the declaration, distinctly denying the Bull of Clement V. It showed

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' jurejurando praestito determinaverunt, omnes processus a Domino ' Papa contra Dominum Imperatorem latos, indebitos et prorsus ' nullius fore roboris vel momenti, sed eos irritos et inanes et ab ' aequitatis lance penitus alienos. Adstruxeruntque eodem jure- ' jurando sententia diffinitiva, per totam terram Imperii . . . divi- ' num cultum, diu indebite . . . interdictum et suspensum, legi- ' time liciteque omni scrupulo conscientiae deposita debere resumi.'

[1] OLENSCHLAGER'S *Urkundenbuch*, p. 188, quoted by GIES. vol. iv. sec. 99, p. 49, gives the declaration of the first *Churverein* as follows: 'Wir . . . han uns des vereint, das wir dats egenant ' Rich, und unser fürstlich Er, die wir von Im haben, nemlichen ' an der Kur des Richs, an sinen und unsern Rechten, Friheiten, ' und Gewonheiten, als von Alter an uns, und an des Richs Kur- ' fürsten herkommen und bracht ist, handhaben, beschurn, und ' beschirmen wollen, nach aller unser Macht und Craft an Geverde, ' wider aller meniglichen, nieman ausgenommen, wan es unser Er ' und Aid auget, und wollen das nit lassen, durch dheinerlei ' Gebot, von wem oder wie es chöm, . . . und geloben an diesn ' gegenwertigen Brief bi unsern fürstlichen Eren, und haben es ' auch gesworen zu den Heiligen für uns und unser Nachkommen, ' stet und rest zehalten. . . . Und geloben, . . . das wir . . . ' uns dawider nit behelffen sint dheiner dispensation, absolution, ' relaxation, abolition, in integrum restitution, dheinerleie beneficio, ' wie das genant sie, wan es chum, oder wie es chum.'

[2] Promulgated by the Emperor, August 8, 1338, and sanctioned by the diet, March 1339.

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that the German nation was emancipated from the political thraldom of the Papacy. When it was emancipated from the ecclesiastical and moral thraldom of that same power, then came the Reformation.

*(β) Depression of Lewis.*

A.D. 1341

But again Lewis' rashness injured his own cause. Elated with his success, and disgusted with a new act of deception on the part of Benedict XII., he seemed to wish to cut away every hope of future reconciliation by encroaching on the Pope's acknowledged rights. He dissolved the marriage of Margaret of Maultasch, and granted the dispensation necessary for her to wed his own son.[1] By this rash act he forfeited anew the confidence of his people; he awakened the jealousy of the nobles, and put fresh weapons into the hands of the Pope, which Clement VI. was able adroitly to employ against him.

*(c) Third struggle between Lewis IV. and Clement VI.*

1342–1347

1344

The first overtures which were made by Lewis to Clement VI., the successor of Benedict XII., only involved him in a new and third struggle with the Papacy, but they also called forth a new protest on the part of the estates of the Empire against the exorbitant demands advanced by the Italian ecclesiastics.[2] Still the success of Lewis was not what it might have been. For if the Pope could no longer count on the sympathies of the people, the weak and vacillating conduct of Lewis, and the aggrandisement of his own house, had estranged the affections of Germany. Germany was prepared to resist the political pretensions of the Popes; it was not prepared heartily to support Lewis. Both the emperor

[1] GIES. vol. iv. sec. 100, p. 52.

[2] *Ibid.* p. 54.

and the Pope struggled with enfeebled forces; hence neither was absolutely victorious. Lewis IV. died as emperor, but excommunicated. The prince whom Clement had, in his lifetime, raised up against him, succeeded him as emperor.

*Charles IV.* A.D. 1347

Many unmistakable signs now began to show themselves of the decline of the support[1] given by public opinion to the Papacy, proving that if the Popes wished to retain what political influence they still possessed, this end could only be accomplished by showing deference to the wishes of the Catholic laity. Perhaps the clearest evidence of this growing indifference of feeling may be observed in the career of Rienzi at Rome.[2] Bereft of her bishop, now resident at Avignon, Rome had fallen into a hopeless state of anarchy. Ill-situated for trade, and possessing no internal resources, she had hitherto subsisted on the glories of the past, and grown rich on the wealth and the offerings which were attracted by the presence of her bishop. But, since the residence of the Popes at Avignon, this source of wealth was gone. A few great families—the Orsini and the Colonnas—with their dependants ruled, or rather plundered, the citizens; and an absence of forty

C. *Public opinion is against the Popes.* (1) *Clement VI.* 1343–1352 (*a*) *Career of Rienzi.* 1347

[1] The Popes of the period are as follows: Clement VI. died December 6, 1352, and was succeeded by Innocent VI. December 18, 1352. His life in LABBÉ, xv. 707; he died September 12, 1362, and was succeeded by Urban V. October 28, 1362. Urban's life, *ibid.* p. 787. On the death of Urban V. December 19, 1370, Gregory XI. succeeded, December 30, 1370. For his life, *ibid.* p. 911; he died March 27, 1378.

[2] See Dr. T. PAPENCORDT'S *Cola di Rienzo und seine Zeit.* Hamburg and Gotha, 1841.

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years had accustomed the Romans to believe that they were no longer cared for or governed by their bishop. At this crisis Rienzi appeared, and appealing to the sympathies of his countrymen for the glories of the past, set up a form of secular government intended to revive antiquity. Had Rienzi's scheme succeeded, and the government of consuls and tribunes been permanently established, it might have materially hastened the downfall of the Papacy. It was well for the Papacy that it was short-lived. Still it did not pass by without making Clement aware of the volcano which lay beneath his feet.

(*b*) *Jubilee of* 1350.

The Popes learned therefrom that they could no longer threaten, but must conciliate; and that the first people to be conciliated were the Romans. It was, therefore, an ingenious device on the part of Clement VI. to hold at the end of fifty years the jubilee which had hitherto only been observed at the end of a century. By this expedient the Romans were, to some extent, indemnified for what they had lost by the long absence of the Popes. To justify the act, however, the sacredness of the number fifty, according to the Old Testament, was appealed to; and the famous constitution *Unigenitus*, which was published in 1349, and which announced the jubilee, set forth the fullest doctrine of indulgences.[1] It declared that Christ had gained for his Church a treasure, and had committed it to the keeping of St. Peter and his successors; to this treasure the

[1] NEAND. ix. 55. The Bull in RAYNALDI *Annales*, an. 1349, sec. 11.

merits of Mary and all the elect had been added. So great, moreover, was it, that there was no fear of its being diminished; for the greater the number of those who desired to appropriate it, the greater would be the number of the saints increasing it. Nor were the Romans the only people whom Clement deemed it prudent to conciliate. In Germany he had to make every kind of concession to secure the recognition of Charles IV. In many places, in Basle amongst others, it was found necessary to suspend the interdict without delay. In others the consecration of burial-grounds had to be repeated on payment of a small nominal charge. It is even asserted that a second election of Charles had to be permitted, followed by a second coronation.[1] And yet, notwithstanding all these concessions, the mind of Germany was embittered against the Pope, and his power was despised. The Germans sighed for the time to come, when, according to the old legend, Frederic II. should arise from the dead to execute justice, with the aid of his knights, on a corrupt clergy, and restore the Church to a new splendour.[2]

*(c) Concessions in Germany.*

A.D. July, 1349

[1] GIES. vol. iv. sec. 100, p. 62.

[2] The legend also applied to Frederic I. See Chap. VIII. p. 240. JO. VITURODAMNUS writes: 'In his temporibus apud [homines 'diversi generis, immo cuncti generis multos valde assertissime vul- 'gabantur, Imperatorem Fredericum secundum hujus nominis ad 'reformandum statum omnino depravatum Ecclesiae venturum in 'robore maximo potentatus. Adjiciunt quoque homines praedicta 'sentientes quod necesse sit eum venire, si in mille partes secatus 'esset, immo si in pulverem per combustionem redactus foret, eo 'quod divinitus sit decretum ita de hoc fieri, quod immutari im- 'possibile est. Secundum igitur istam assertionem cum resusci- 'tatus ad Imperii sui culmen reversus fuerit, puellae vel feminae

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(2) *Innocent VI.* A.D. 1352–1362

A further sign of declining power appeared under the quiet, reforming Pope Innocent VI., the successor of Clement VI. To such an extent had the Popes lost their influence in the States of the Church, where a host of petty principalities had grown up, that the warlike Cardinal Aegidius Albornoz had to be sent to reconquer those domains.[1] Had any one but Charles IV. been emperor, it is doubtful what success the cardinal might have had.

(3) *Urban V.* 1362–1370

(*a*) *Concession to Bernarbo Visconti.* 1364

Nov. 30, 1362

1363

Greater troubles were in store for Innocent's successor, Urban V. Aegidius had wrested Bologna from the powerful Bernarbo Visconti, ruler of Milan; a noble, bold and unscrupulous, to whom all fear, alike of God and man, of the Church or the Roman See, was unknown. The citation to appear, which had been served on him by the Pope, Bernarbo set at defiance. Moved by grievous complaints, Urban V. at length pronounced on him the sentence of excommunication. He did more; he preached a

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'pauperi in matrimonio junget virum divitem, et e converso; 'moniales et sorores in saeculo degentes maritabit, monachos 'uxorabit; pupillis, orphanis, viduis omnibus et singulis spoliatis 'res ablatas restituet, cunctisque faciet justitiae complementum. 'Clericos persequetur adeo atrociter, quod coronas et tonsuras 'suas stercore bovino, si aliud tegumentum non habuerint, obdu- 'cent, ne appareant tonsorati: religiosos, qui denunciando pro- 'cessus papales contra eum, praecipue fratres minores, ipsum de 'Imperio repulerant, de terra fugabit. Post resumptum Imperium 'justius et gloriosius gubernatum quam ante, cum exercitu copioso 'transfretabit, et in monte Oliveti vel apud arborem aridam 'Imperium resignabit.'

[1] See Clement VI.'s Bull of July 16, 1346, in *Bullarium Romanum*, i. 302; VILLANI, lib. iii. ch. lxxxiv; SCHLOSSER, *Weltgeschichte*, book iv. ch. i. pp. 408, 618; GIES. vol. iv. sec. 101, p. 65.

crusade against him. But within a year afterwards, Urban found that it was useless to contend with Bernarbo, that it was advisable to come to terms with him.[1] Regardless, therefore, of the ban, he concluded a treaty of peace with the Italian on equal terms, receiving Modena and Ramandiola instead of Bologna, but promising to pay 500,000 gold florins by way of compensation.

*(b) England refuses to pay tribute.* A.D. 1366

Even in countries which lay further away from the scene of action than Italy or Germany, Urban found that his influence was waning. When he made application to Edward III. of England for the tribute which that country had been in the habit of paying to the Popes since the time of King John, but which had been in arrear since the beginning of the English wars with France,[2] he received a haughty reply.[3] John, the Parliament replied, had no power to put his realm or his people in such subjection without their consent. It declared, moreover, that

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[1] GIES. vol. iv. sec. 101, p. 67.

[2] RAYNALD, 1365, No. 13. The tax had been unpaid since 1332. Urban V. applied for it in 1365.

[3] *Rotuli Parliament. tem. Eduardi III.* p. 290 : 'Que le dit Roi 'Johan ne nul autre purra mettre lui ne son Roialme ne son 'Poeple en tiele subjection saunz Assent de eux, et comme piert 'par plusours Evidences, que si ce feust fait ce feust fait saunz leur 'Assent, et encontre son Serment en sa Coronation. Et outre 'ce, les Ducs, Countes, Barons, Grantz et Communes accorderent 'et garanterent qu'en cas que le Pape se afforceroit ou rien 'attempteroit par Proces ou en autre manere de fait, de con-'streindre le Roi ou ses Subgetz de perfaire ce qu'est dit qu'il 'voet clamer celle partie, qu'ils resistront et contre-esterront ove 'toute leur peussance.'

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they would resist to the utmost of their power any attempt on the Pope's part to recover such a tribute.

*(c) Temporary return to Rome.*

At any other time the English Parliament would have placed no obstacle in the way of the payment; but at the time of Urban's application, England was engaged in a war with France. Hence, to send supplies to a Pope living at Avignon, was really to assist the kingdom of an enemy. Urban felt that all circumstances seemed to point to Rome as his proper residence. There he would be emancipated from the shackles of the French monarch. There he would be able to keep Italy in check. There, too, he might reckon on obtaining help from England and Germany. He had felt what it was for a sovereign Pontiff to be the subject of another kingdom; and could not fail to admit the justice of the complaint urged against the Papacy, that it prostituted ecclesiastical power to worldly ends. All this he

A.D. 1367 felt, and resolved upon a change. To Rome he accordingly returned in the following year, leaving five French cardinals behind at Avignon. But Urban had no sooner taken the step than he was induced to repent of it, and once more, after three

1370 years stay at Rome, he returned to Avignon.[1]

*(4) Gregory XI. 1370–1378*

*(a) Spiritual weapons powerless.*

The full measure of the political powerlessness of the Popes may be seen in the Papacy of Gregory XI., the last of the Popes who resided at Avignon. That Pope, like his predecessors, chose to assert his rights by spiritual censures. But the thunder of his anathemas on Galeazzo and Bernarbo rumbled feebly

1372

[1] GIES. vol. iv. sec. 101, p. 68.

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when coming from a distance; and whilst ecclesiastical censures were uttered in France, in Italy there was no one to enforce them. The cities of the ecclesiastical states asserted their independence, and entered into an alliance with Florence and the Visconti. Gregory was obliged to recognise Frederic III. as King of Trinacria, thus closing the long struggle of the Popes against the Aragonese rulers of Sicily. The unquestioned claims of the See in Italy he was compelled to forego. His own sovereignty was reduced to a shadow. And now but one alternative lay before him unless he was content to lose his hold on Italy for ever; the alternative of a return to Rome in person. Upon this alternative he resolved. Embarking at Marseilles on September 29, 1376, after an unfortunate voyage, in which several ships were lost, he arrived in April of the following year in the ancient metropolis, where he was greeted with outward splendour and rejoicing, with processions, and banquets. In the first flush of joy at his return, the people hailed him with enthusiasm: the Bannerets of the Regions threw down their ensigns of authority at his feet. Everything seemed favourable. All were disposed to welcome the return of order.

*(b) Gregory returns to Rome.*

A.D. 1377

But the Popes had been too long absent from Rome. The Italian nobles had been too long accustomed to own no superior to themselves. Soon the scenes of festivity were exchanged for scenes of violence. The Bannerets resumed their independent rule. Arms were employed by both parties, and violent deeds were wrought by Cardinal Robert, by Hawkwood and his freebooters, which revived in

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full force the aversion to the Pope. Gregory was powerless in Italy. All things were in irreparable confusion. He was obliged to open negotiations with his enemies; but these were soon interrupted by his death.

A.D. 1378

After an absence of nearly seventy years the Popes were once more established at Rome, but neither Gregory XI. nor his successors could ever afterwards recover what they had lost. During the seventy years of exile, the glories of the Papacy had set. The Romans had tasted freedom. The Popes had become subjects. Their political supremacy was gone, and had vanished for ever. Those who longed for its return might well look back upon the papal residence at Avignon as a period of captivity, and speak of hanging their harps upon the willows and weeping, when they remembered the greatness which had been.

# CHAPTER XIV.

## *THE GREAT SCHISM OF THE WEST.*

(1378—1417.)

*Omne regnum divisum contra se desolabitur; et omnis civitas, vel domus, divisa contra se, non stabit.*—MATT. XII. 25.

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HARDLY had the first storm which assailed the Papacy during the long residence of the Popes at Avignon, depriving it of its political supremacy, passed away, when a new storm broke over its head, depriving it of still more of its greatness, and nearly obliterating its existence altogether. This time the storm was not occasioned by a residence in a foreign country, which brought the Popes into political dependence on a foreign sovereign; but it was a storm gathered in a purely ecclesiastical atmosphere, and hence inflicting damage on another side of the Papacy—the ecclesiastical independence of the Popes. It was, in short, no other event than that known as the Great Schism of the west. Of that event the disastrous effects were far-reaching and wide-spread. The shock which the Schism itself produced on the minds of the clergy and the laity was but small part of the result; and most momentous were its after-consequences. For that Schism called into being those independent councils of the west,

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which rudely assailed the sovereign Pontiff; during that Schism, too, those abuses became rife which called forth on a large scale, though not for the first time, the demand for reform, and thus hastened on the event which involved the Papacy in ruin.

A. *The rise and progress of the Great Schism.* A.D. 1378–1404

The death of Pope Gregory XI. revived the old dispute between the Italian and French cardinals—a dispute for a long course of years apparently in abeyance. Ever since the election of Clement V., and during the residence of the Popes at Avignon, the French party had predominated. Now, with the return of the Popes to Italy, the struggle between the French and Italian interests broke out afresh. On the one hand, the French cardinals commanded a decided majority in the Sacred College, numbering seventeen out of twenty-three. On the other hand, the Italian cardinals, although in numbers far inferior to their French associates, were possessed of two advantages. The French were divided amongst themselves, some desiring to have a Pope from the province of Limoisin, others protesting against such a choice; whereas the Italians were a united body. And, again, the election would take place in Italy, where the Romans were pressing the demand, that a Roman, or at least an Italian Pope should be chosen, threatening violence in case their wishes were not granted.[1] Besides, not more than eleven out of the seventeen French cardinals were present in Italy, the remaining six being resident in Avignon.

(1) *Urban VI.*

As a matter of fact, the earliest election by the cardi-

[1] See NEAND. ix. 60.

*and Clement VII. the French Pope.*

nals regularly assembled at Rome, that on April 8, 1378, resulted in favour of the Italian, Bartholomy, Archbishop of Bari, a Neapolitan who took the name of Urban VI.,[1] and his election was formally announced by the cardinals at Rome to their absent brethren at Avignon. Yet no sooner had the cardinals escaped from Rome than they repaired to Anagni, and there, before the Archbishop of Arles, chamberlain of the Roman Church, solemnly protested against the validity of Urban's election: then having adjourned to a place of safety at Ferredi, they proceeded to a new election, and on September 20 of the same year their choice fell on Robert, Bishop of Cambray, a man in every sense adapted to carry out the wishes of the French party. He took the name of Clement VII.[2]

*(a) The election.*

*(b) Probable causes of the double election.*

Very different views may be taken of facts so plain as these by zealous partisans in either the Italian or French interest. The plea of compulsion may be urged against the validity of the election of Urban VI.; and indeed the French historians say that the choice of an Italian was forced upon them by a rising of the people.[3] The Italians say that the election was quite free, and that a passing tumult which arose was the result of some misunderstanding

[1] Urban VI. was Pope from April 8, 1378, to October 15, 1389. His life in LABBÉ, xv. 939.

[2] He held the See from September 20, 1378, to September 16, 1394. See Ep. i. Urbani in LABBÉ, xv. 941. See the account of the transaction in Acta Concil. Pis. an. 1409, LABBÉ, xv. 1188, and xvi. 2.

[3] BALUZ. *PP. Aven.* i. 442; and *Secunda Vita ejusd.* BALUZ. i. 456.

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and did not take place till the election was over.[1] No immediate violence overruled the election, but certainly fear of violence may have influenced it. On the other hand, it would appear more probable that the indiscreet and passionate behaviour of Urban after his election had given offence to the cardinals, and that the French party, who felt they could command a majority, were dissatisfied with him for not returning to Avignon. At any rate Clement VII. was not elected till after a considerable interval. And probably Urban's election would never have been protested against, had not other and secondary motives[2] decided the French cardinals to take up an attitude of opposition. Before his election, Urban VI. had only been known as a rigid ascetic, who occupied himself with nothing but the administration of his episcopal office. As a Pope he was passionate, cruel, and avaricious. His passionateness appeared

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[1] THEOD. A NIEM. i. 2; RAYNALD. an. 1378, No. 2, p. 1379, No. 3.

[2] Dislike of his censures. See the passage from THEOD. A NIEM. i. 4, quoted by GIES. vol. iv. sec. 104, p. 95: 'Incepit 'increpare Episcopos . . . dicendo quod omnes essent perjuri, 'quia Ecclesias suas desererent in eadem Curia residendo.' Then he preached a sermon (ch. v.): 'In quo etiam mores . . . Cardi- 'nalium et Praelatorum incepit redarguere, quod ipsi aegre tule- 'runt. . . . Veniens etiam illo tempore quidam Collector fruc- 'tuum Camerae apostolicae de quadam provincia ad praesentiam 'dicti Urbani, ei quandam pecuniae summulam ratione sui Col- 'lectaneae officii offerebat; cui respondens ait: *pecunia tua tecum* '*sit in perditionem* ac illam recipere non curavit. Similia multa 'insolita et abusiva de die in diem faciens, per quae paene omnium 'Cardinalium et Praelatorum contra se magis iracundiam conci- 'tavit.' . . . Ch. vii.: 'Eum delirum communiter ipsi Cardinales 'judicabant.'

within the first months after his election, and disgusted the cardinals. His cruelty was seen on a later occasion, when having narrowly escaped from the arms of Charles of Durazzi to Genoa, he vented his rage on all whom he suspected of being complicated in the plot; five cardinals even being tortured on the rack and put to death. A proof of his avarice was given in his shortening the time yet to intervene before the year of jubilee and proclaiming another jubilee after the lapse of thirty-three years—a jubilee, however, the benefits of which it fell to the lot of his successor to reap.[1]

*(c) Europe divided in its allegiance.*

Had the powers of the emperor been now what they once were, the King of the Romans would have come forward to decide the dispute, and the Schism would have been nipped in the bud and quickly at an end. One Pope would have been recognised as the rightful Pope, the other would have existed as an antipope who had a few supporters. But it was not so. Matters had changed since the time of the first Otto, or the third Henry. The power of the emperor was declining as rapidly as that of the Popes. Other nations were coming into the foreground of history, independent and hardly respecting the venerable but decayed trunk of the Empire. Since the death of Henry VII., the Empire was itself breaking up into separate communities. The Schism which in the first place had only divided the College of Cardinals, in the absence of anything to prevent it, now proceeded to divide the Church into parties

A.D. 1313

[1] Neand. ix. 69.

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and completed the rent in the political unity of Europe.

(*a*) *Supporters of Clement VII.* A.D. 1378–1394

The blood-stained Joanna was the first who came forward in support of Clement VII. and the later election.[1] The French king was next gained, Clement having betaken himself to Avignon, and put himself under French protection; but not before King Charles had carefully examined the claims of the two Popes at an ecclesiastical assembly at Vincennes and declared in favour of the later election.[2] By dint of French influence he was immediately recognised as Pope in Scotland. Savoy and Lorraine followed the example of Scotland. Not long afterwards the same influence gained for his adherence Castile, Aragon and Navarre.[3]

1381
1387
1390

(*b*) *Supporters of Urban VI.*

On the other hand, Germany and England supported Urban VI. Italy naturally did the same; Denmark, Sweden, and Poland also remained faithful to the Italian Pope. The verdict of posterity appears also to have been given for Urban VI., excepting in France, where it became a question of national honour to defend the French nominee; and hence, in the modern lists of Popes, the French Popes are passed over as usurpers. The name of Clement VII. appears again in the sixteenth century, as does also that of Benedict XIII. in the eighteenth.

1523
1724

(*d*) *Secular warfare.*

Not only was the allegiance of Europe divided by the Schism, but in Italy the war between the rival Popes was even waged with secular arms.

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[1] THEOD. A NIEM. i. 8; RAYNALD. an. 1378, No. 46.
[2] NEAND. ix. 65. [3] GIES. vol. iv. sec. 104, p. 87.

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There the kingdom of Naples alone adhered to Clement VII.; the rest of Italy supported Urban VI. Thereupon Urban declared the kingdom of Naples forfeited; and granted it in fee to Charles Duke of Durazzi. It would be tedious to trace all the intricacies of the relations which thereupon ensued between Urban and Charles, between Charles and Louis of Anjou, whom the Queen of Naples, Joanna, adopted for her son and successor; to narrate how Charles was at first successful in gaining Naples; how he then became embroiled with Urban; how, soon after, he was excommunicated by Urban, and retaliated by besieging the Pope at Salerno; how Urban well-nigh damaged his own cause by refusing to invest Ladislaus, the son of Charles, with Naples; and how Naples was on the verge of falling into the hands of the young Louis of Anjou and the French Pope, when Urban VI. died, and his successor, Boniface IX., at the right moment, saved the kingdom he was losing. For Boniface not only invested Ladislaus, but supported him also in retaining it by all the means at his disposal. Suffice it to say, that the Schism was the cause of bloodshed and strife in Italy; that that strife was prolonged by differences between the Popes and their supporters; and that Charles Duke of Durazzi gained a kingdom by supporting Urban VI., and his son Ladislaus secured to himself the same kingdom by supporting Boniface IX.

A.D. 1385
1386
1387
1390

In the midst of these struggles Urban VI. passed away, and was succeeded by Boniface IX. The hopes of the French cardinals that on the death of

(2) *Boniface IX.* 1389–1404

PART III.

Urban VI., Clement VII. would be generally recognised, were now, it was seen, destined to be dashed to the ground. The Schism was perpetuated. Described by a cotemporary as being[1] 'in secular things not a little fortunate, but weak in spiritual things,' Boniface is chiefly known for his shameless love of money,[2]—a love to which he was so devoted that he often allowed himself to be interrupted during mass to attend to pecuniary arrangements;[3] that simony was carried on in the most shameless manner at his court;[4] that a tax called annates, which had to be paid into the papal chancery, was levied on all presentations to the more important ecclesiastical offices;[5] that not content with the wealth which the

[1] THEOD. A NIEM. lib. ii. ch. xiii. : 'In temporalibus non mediocriter fortunatus, sed in spiritualibus debilis.'

[2] NEAND. ix. 69; GIES. vol. iv. sec. 104, p. 105.

[3] THEOD. A NIEM. book ii. ch. xi.

[4] THEOD. A NIEM. *Le Schisme*, book ii. ch. vii. : 'Ipse [Bonifacius] reperit plures bonos et legales Cardinales, . . . qui simoniae vitium detestabantur omnino, quorum prae timore, quoad vivebant, quasi per septem annos non audebat simoniam publice exercere, attamen per aliquos mediatores . . . secrete exercebat, intercedentibus pactis clandestinis de promotionibus per ipsum faciendis. . . . Cardinalibus autem pro majori parte successive defunctis, quos ipse simoniam odio habere cognovit, exhilaratus est animo, quia tunc liberas habebat habenas simoniam pro libito etiam publice exercendi.'

[5] THEOD. A NIEM. *Le Schisme*, book ii. ch. vii. : 'Sed demum circa decimum annum sui regiminis, ut cautius ageret in hac parte, palliaretque simoniam quam exercuit, quodam necessitatis colore primos fructus unius anni omnium Ecclesiarum cathedralium et Abbatiarum vacantium suae camerae reservavit, ita quod quicunque ex tunc in Archiepiscopum vel Episcopum vel Abbatem per eum promoveri voluit, ante omnia cogebatur solvere primos fructus ecclesiae vel monasterii, cui praefici voluit,

jubilee poured into his coffers, he sent letters of indulgence and preachers of indulgence into all countries ;[1] and that the 'Bonifacian plantation' became a byword in every one's mouth to denote the most corrupt members of the clergy. Terrible was the retribution which that abuse of indulgences brought on his successors, when it had run its course and the time was come.

B. *Attempts to heal the Schism.*

(1) *Attempts proceeding from neutrals.*

(*a*) *Henry of Hessia.*

Meantime there had not been wanting attempts to heal the Schism, though too often these attempts were frustrated, owing to national interests being involved in the dispute. The whole Church was divided into three parties, the supporters of the Italian Pope, the supporters of the French Pope, and a party of neutrals, who were unwilling to espouse the cause of either. At the head of the latter party stood Henry of Hessia, and he early expressed his opinion in the 'Letter of Peace,' that A.D. 1381 there was 'no other means of restoring the peace of the Church on a solid basis, than that by assembling all the prelates in a general council'[2]—an opinion

'etiamsi nunquam possessionem ejusdem consequi posset.' In England it is well known that at the Reformation the first fruits, which had been previously paid to the Pope, were transferred to the sovereign, and continued to be paid to the sovereign until the time of Queen Anne, who, instead of receiving them herself, made them over to a commission for certain purposes. Hence they now exist in the shape of payments to Queen Anne's bounty.

[1] THEOD. A NIEM. i. 68 : 'Erat enim insatiabilis vorago et in 'avaritia nullus ei similis. . . . Quia omnia peccata etiam sine 'poenitentia ipsis confitentibus relaxaverunt.'

[2] Extract from the Epistola pacis in BULAEUS. It runs (p. 578): 'Absque cujus conventu credo vix unquam posse ad plenum corda 'quietari omnium.' See NEANDER's account of the work, vol. ix. p. 66.

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(*b*) *University of Paris.*

which was endorsed by the assembled heads of the university of Paris in the year 1381. Here was one indication not only that the Pope's political independence was lost, but that his ecclesiastical supremacy was soon about to follow.

(*a*) *Private expression of opinion.*

A.D. 1381

But as yet this was only a private expression of opinion, important, no doubt, from the influence which the university wielded, but little able to allay the heated passions of the rival parties.

(*b*) *Public expression of opinion and remonstrance to the Pope.*

1394

Soon, however, the university contrived to obtain permission to set forth publicly before the king its opinion respecting the means of restoring tranquillity. That judgment as drawn up by Nicolas de Clemangis, a disciple of the Chancellor Gerson, was thereupon submitted to the king. It set forth three alternative means for ending the Schism: either both Popes should resign, or they should submit their claims to arbitration, or a general council should be convened.[1] When the king replied by an evasive answer, and begged the University not to discuss or consider the matter any further, the latter suspended her sermons and lectures, and addressed

*Charles VI.* 1380–1422

[1] BULAEUS, iv. 687 it is quoted. The University proposed 'tres vias ad pacem in Ecclesia obtinendam,' viz. *cessionis*, which it most recommended, '*compromissionis* et *Concilii generalis*, aut 'secundum formam juris ex Praelatis tantummodo celebrandi, aut 'quia plures eorum sunt . . . hodie illiterati, pluresque ad alter- 'utram partem inordinate affecti, mixtis una cum Praelatis ad 'aequalem eorum numerum magistris et doctoribus theologiae ac 'juris de studiis solemnibus utriusque partium antiquitus appro- 'batis. . . . Si alter dissidentium aut uterque vias tres expositas 'mire obstinatius refugeret, eum velut schismaticum pertinacem et 'haereticum . . . judicandum.' See also the account in NEAND. ix. 71.

an outspoken letter to Clement VII., protesting against the intriguing conduct of the cardinal, Peter de Luna, and begging him to do all in his power to put an end to the Schism.[1] But beyond drawing forth Clement's indignation, this letter made no impression at Avignon; for in the same year Clement died, and the French cardinals, notwithstanding all the attempts of the University to prevent it, perpetuated the Schism, by electing the said cardinal, Peter de Luna, as his successor, who thereupon took the name of Benedict XIII.[2]

A.D. 1394

(γ) *Second remonstrance addressed to Benedict XIII.*

Such conduct had a most disheartening effect on all who were conscientiously striving to promote the good of the Church. Their eyes began to be opened to the corruptions prevailing in high places, when acts like these could be tolerated; and already voices, as that of Clemangis in his book '*De Ruina Ecclesiae*,' were heard, complaining that these corruptions must be purged away. Now the cry for reformation commences to sound in the ears of the historian. The University issued a letter to Benedict XIII., calling upon him in the most pressing manner to promote the cause of union without delay. But what could be expected from a Pope so wily as Benedict, so unscrupulous in his use of means, so faithless to his own pledges,[3] so obstinate in clinging to a dignity

[1] NEAND. ix. 74. See GIES. vol. iv. sec. 106, p. 110 (note).

[2] NEAND. ix. 75.

[3] Before proceeding to an election, the cardinals had pledged themselves upon oath, that whoever of their number should be chosen 'omnes vias utiles et accommodas ad unitatem Ecclesiae '. . . sine machinatione seu excusatione vel dilatione quacumque

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when once it had been secured? A courteous letter was returned to the University: all did not depend on Benedict, and Benedict felt himself pledged to nothing.[1]

*(2) Attempts made by the French king and Estates.*

A.D. 1398

*(a) Project of the French king to depose both Popes.*

But the University was not content to let matters rest there. She contrived to induce the king to convene a council at Paris in the year 1394, which recommended the Pope's resignation;[2] and when Benedict forbade the cardinals who favoured the scheme to sign a declaration to this effect, she found means to induce Charles VI. to combine with the Emperor Wenceslaus, with the view of forcing both the Popes to resign. Now not only the University, but also the king and estates of France were enlisted in the attempt to end the Schism. The scheme, it is true, resulted in failure; the fault was not, however, on the side of the French king. Wenceslaus, too weak to keep his word, and overreached by the secret machinations of Boniface IX., found himself deposed instead of deposing, and his own weapons were turned against himself.

1400

*(b) States General renounce obedience.* 1398 & 1407

The States General first come into notice in France in the reign of Philip the Fair, when by their decisions they strengthened the hands of the king against the demands of Boniface VIII.[3]

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'servabit et procurabit . . . usque ad cessionem etiam inclusive 'per ipsum de Papatu faciendam, si dominis Cardinalibus . . . 'hoc pro bono Ecclesiae et unitatis praedictae videatur expedire.' Quoted by GIES. vol. iv. sec. 106, p. 110, from BULAEUS, iv. 730.

[1] NEAND. ix. 85.

[2] The acts of the Council. LABBÉ, xv. 995, Concil. Paris. an. 1394.

[3] See Chap. IX. p. 276.

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On that occasion they appeared as the opponents of the Papacy, showing that henceforth kings and emperors were not the only antagonists of the Popes, but that their former supporters, the people, had changed sides, and joined the ranks of the opposition. In Germany, too, the states assembled at Frankfurt had pronounced the sentence of Benedict XII. invalid.[1] Now the French clergy stepped into their places, and at several synods took active measures against the Pope. At the synod of Paris, in the year 1398,[2] they solemnly renounced their allegiance to Benedict XIII. Their example was followed by Castile, and the Pope was confined in prison at Avignon. Again, some ten years later, when the negotiations between Benedict and Innocent were flagging, and it was clear that Benedict had not been sincere in his overtures for peace, France, for the second time, withdrew from the obedience of Benedict.[3]

A.D. 1338

Jan. 1408

(3) *Attempts made by the Cardinals.*

(*a*) *French Cardinals.* 1394

The French cardinals had shown a certain amount of sincerity in their professions of anxiety for peace; so much, at least, that they pledged themselves before they proceeded to elect Benedict to use every effort to heal the Schism, and agreed that whoever should be chosen Pope, should at any time resign his dignity if it was considered necessary for the cause of union.[4] The attempt on their part was truly laudable, but it was frustrated by the faithless-

[1] Jo. Vitoduramus, p. 49. See Chap. XIII. p. 428.

[2] An. 1398, Concil. Paris. Labbé, xv. 1003. The subtractio totalis obedientiae, *ibid.* p. 1072.

[3] Gies. vol. iv. sec. 106, p. 114. [4] See note [3] on p. 449.

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A.D. 1417 1424

ness of Benedict. Benedict refused to be bound by any promises; even when he had been finally deposed by a council, he died still calling himself Pope, with the single town of Peniscola giving him her allegiance.

(*b*) *Italian Cardinals.*

(*a*) *At the election of Innocent VII.* 1404

When the Schism had continued more than a quarter of a century, even the Italian cardinals, who considered the justice of their claims unassailable, began to grow weary of the struggle, and before proceeding to the election of Innocent VII., they too followed the example of their brethren at Avignon, taking a solemn oath that whoever of them should be chosen would abdicate the Popedom so soon as the rival Pope should do the same.[1]

(β) *At the election of Gregory XII.* 1406

Two years later, on the death of Innocent VII., the question even arose whether they should proceed to a new election at all, but the Italian cardinals could not wholly yield to the claims of the other party. Besides, Benedict was not to be trusted.[2] Accordingly, an oath, but a more solemn one than before, was administered, each cardinal swearing that, in case he should be elected, he would resign so soon as the French Pope at Avignon would do the same; each one moreover pledging himself to use the power of the Papacy simply for

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[1] THEOD. A NIEM. book ii. ch. xxxiv. : 'Ante electionem ipse 'Innocentius . . . ac ipsum eligentes praedicti Cardinales sponte 'jurarunt et voverunt, quod quicumque ipsorum eligeretur in 'Papam, ad hoc, quod dicta unio fieret, ejus Papatui pure et 'sponte cedere deberet, dum tamen dictus Petrus de Luna etiam 'suo Papatui sponte cedere vellet.'

[2] NEAND. ix. 95.

the purpose of healing the Schism. On this occasion the choice of the conclave fell upon Cardinal Angelo Coravio of Venice, a man celebrated for his habits of devotion, and already eighty years of age. He took the name of Gregory XII.[1] Yet none of the three Popes who had taken this oath, whether French or Italian, appear to have been very zealous to redeem their promise. Certainly Gregory XII., at Rome, was more ready to resign than Benedict XIII. at Avignon. Perhaps he would even have resigned of his own free-will, had it not been for the influence of his relatives.[2] But so it was, that, like the rest, having once obtained the dignity, he clung to it, and violated his pledges.

(4) *Share of Gregory XII. and Benedict XIII.* A.D. 1406–1409

And now the prolongation of the Schism no longer involved a principle; it depended simply on the time which two Popes should chose for the purpose of fulfilling their promises. The share which the two Popes contributed towards healing the Schism was, however, negative rather than positive. It consisted more in forfeiting their positions by their vices than in virtuously surrendering them. The minds of men had become familiar with the idea that ecclesiastically a council was supreme over a Pope; they had also become familiar with the idea that a reformation of the Papacy was necessary. The only obstacle which prevented action, was a kind of lingering respect for the character of the Popes. But Gregory and Benedict did their best to destroy even this lingering respect.

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[1] His life, LABBÉ, xv. 1081.

[2] NEAND. ix. 97.

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It was agreed that the two Popes should meet at Savona,[1] and there should join in a common abdication. The document, overladen with provisos, was signed by Gregory. The prospects of peace seemed immanent. Suddenly Gregory XII. relented; his relations remonstrated with him at Rome; he felt legal difficulties. His difficulties were laid before the jurists, but they decided against him. Foiled in this attempt, he went slowly to Lucca, when a second means of evasion suggested itself to him, and, pretending that his life would be endangered if he went to Savona, he opened fresh negotiations for a new place of meeting. Benedict kept his promise and appeared at Savona.[2]

Gregory now gave it to be understood, that he had no longer any thoughts of abdicating. But this conduct was more than even the depraved cardinals

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[1] The letter of Gregory to Benedict, and that of Benedict to Gregory, in LABBÉ, xv. 1082. The former letter has the following passage: 'Quare exurgamus ambo in unum unionis affectum, con-'curramus, feramus salutem ecclesiae jam hoc diuturno morbo 'afflictae. Ad hoc te invitamus, paratique sumus et offerimus nostro 'verissimo juri et papatui cedere et renunciare: et efficaciter facie-'mus, si et quando tu renunciaveris ac cesseris praesenti juri et 'papatui tuo, vel decesseris.' The latter has the following (*ibid.* p. 1085): 'Tibi praesentium tenore significamus, quod, ut tam 'peroptatum unionis negotium celerius consequi valeat et securius 'executionem demandatam, parati sumus una cum collegio venera-'bilium fratrum nostrorum sanctae Romanae ecclesiae cardinalium 'in loco securo et decenti ac idoneo, tecum, et cum quocumque 'successore tuo decedentibus, cum praedictis, qui apud partem tuam 'pro cardinalibus se gerunt, vel gerent, personaliter convenire pro 'unione ecclesiae tractanda et favente Domino obtinenda. . . .' NEAND. ix. 98.

[2] THEOD. A NIEM. vol. iii. ch. xiv. pp. 17–19.

of that day could endure. The last frail band of moral respect was broken. From the Council of Aquilaea,[1] convened by Gregory for the purpose of vindicating his own title and the title of his predecessors, the Italian cardinals escaped, wishing to act with more freedom in another place. They repaired to Livorno,[2] and renounced their allegiance to their Pontiff.[3] From a similar synod, which Benedict held in his native country, Aragon, whither he had fled, the French cardinals withdrew, and joined the Italians at Pisa;[4] and there the cardinals of both parties uniting, put forth a proclamation for a General Council to be held in that city in March 1409.[5]

C. *Consequences of the Schism.*

(1) *Oppression of the Church.*

Nothing could be more disastrous for the Church than this long-continued Schism; nothing could be more detrimental to the power of the Papacy. During their residence at Avignon, the Popes had contracted luxurious habits; those habits of luxury they had brought with them to Italy on their return. The

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[1] Concil. Aquil. an. 1409, LABBÉ, xv. 1103.

[2] NEAND. ix. 104.

[3] The declaration ad universos Christianos in D'ACHERY, *Spicileg.* i. 807: 'Eundem Gregorium velut haereticum et nutri-
'torem schismatis antiquati dereliquimus sibi, cum juxta canonicas
'sanctiones peccatum sit ei obedientiam praestare, die xi mensis
'Maii proxime praeteriti omnem quantum in nobis fuit obedien-
'tiam juxta juris exigentiam abstraximus, ac recessimus ab eodem,
'dispositi ut oportuit et oportet ex adverso consurgere et murum
'nos opponere pro domo Israël.' See the letter in LABBÉ, xv. 1296 in Acta Concil. Pisan. an. 1409.

[4] NEAND. ix. 104.

[5] See the documents, LABBÉ, xv. 1275 in Acta Concil. Pisan. an. 1409, and *ibid.* p. 1346.

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Schism had increased the papal expenditure at the same time that the papal resources were diminished. The two rival Popes had not a greater revenue than had formerly been enjoyed by one; and if in nothing else, they at least agreed in one thing, their zeal in oppressing the Church.

*(a) Affecting the laity.*

The points in the oppression of the Church which most affected the laity were the sale of indulgences and the practice of simony; the former affecting their purse, the latter their respect. Agents were sent out by Boniface IX. and preachers to sell indulgences to all who gave the same sum that a journey to Rome would have cost.[1] Pardons were sold without any penitence being required. Simony too was openly practised, and defended without any sense of shame.[2] Hence the impression gained ground amongst the laity that in the Church anything might be done for money. Bitter was the retaliation when the discovery had been made that the whole claim of the Church to grant indulgences was a deception.

*(b) Affecting the Clergy.*

Other modes of oppression to which Boniface

[1] NEAND. ix. 69.

[2] THEOD. A NIEM. vol. ii. ch. ix.: 'Curiales pro majori parte 'affirmabant talia licite fieri, cum Papa in talibus, ut dicebant, 'peccare non posset.' Ch. xxxii.: 'Vivente eodem [Bonifacio] 'quidam integri magistri in sacra theologia et alii in scientiis illu- 'minati dolentes ita communiter et aperte simoniam committi in 'Curia . . . in contrarium arguendo, et conclusiones in quaternas 'et codices redigendo determinarunt, licet sub magno timore, quod 'Papa vendendo ecclesiastica beneficia ex pacto intercedenti 'simoniacus esset, quia non foret constitutus, ut illa venderet, sed 'ut dignis gratuito dispensaret.'

resorted, and which chiefly affected the clergy, enormous though they were in themselves, do not seem to have been the cause of so much public scandal. Indeed, many of the abuses were not abolished at the Reformation. The sale of presentations, which the French Pontiff, Clement VII., was obliged to exercise,[1] but from which Urban VI. was at least comparatively free, does not seem even now to give offence to the clergy, whatever it may give to the laity, provided it is exercised by private, and not by public patrons, and the practice of paying first fruits, and the revenues during the vacancy of the greater ecclesiastical offices,[2]—a practice introduced by Boniface IX.—has been, at least in England, continued; the crown being substituted for the Pope. To these abuses must be added others which now crept in, the sale of favours in expectancy, or *gratiae exspectativae*, of dispensations. It does not, however, appear that Clement's claim to the spoils of deceased prelates was anything more than a temporary expedient.[3]

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[1] See the authorities quoted by GIES. vol. iv. sec. 105, p. 100.

[2] Auctor in BULAEI *Hist. Univ. Par.* iv. 914: 'Circa modum 'exactionis istarum vacantiarum est advertendum, quod ante tem- 'pora schismatis nulla solutio aut obligatio exigebatur, sed habita 'possessione collectores apostolici levabant in multis et prolixis 'terminis taxam; ita quod vix taxa tribus, decem vel duodecim 'annis erat levata, et communiter remittebatur pars, et aliquando 'totum propter paupertates vel alias considerationes.'

[3] *Chronica Caroli* VI. lib. ii. ch. ii. A.D. 1381: 'Quotiens ab 'hac luce Episcopos Franciae migrare contingebat, mox ex papali 'camera collectores et subcollectores procedebant, qui *mobilia*, '. . . quae ad haeredes aut executores testamentorum dinosce- 'bantur pertinere, et unde aedificia episcopatuum potuissent repa-

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(2) *Exposing of corruptions.*

Of greater importance, as tending to overthrow the foundations of the Papacy, was the way in which the corruptions hitherto endured and passed over in silence were ventilated and reprobated. The Church was openly oppressed. Clergy and laity were called upon to decide between two rival parties.

A.D. 1401 Treatises were written, such as that attributed to Clemangis,[1] '*De Ruina Ecclesiae*,' declaring 'that this frightful pest of schism has been introduced and propagated by the wickedness of the cardinals,[2] and has been permitted as a divine judgment that the rule of the Church, so displeasing to God, so odious to the nations, may come to nought.' Moreover, to many minds, the overthrow of the Papacy could not fail to suggest itself. The University of Paris declared in its letter to Clement VII. that men were heard openly to say, that it mattered not how many Popes there were; there might be not two or three only, but as many as twelve; each realm might have its own ecclesiastical head owing no allegiance to anyone else.[3] Extremes meet. The transition from many Popes to

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'rari, nemine contradicente rapiebant; et qui praetextu arreragio-
'rum ex decimis et servitiis nondum integre persolutis provenien-
'tium tanta damna inferebant. . . .'

[1] By NEANDER, ix. 76, denied by GIESELER, vol. iv. p. 100.

[2] *De Ruina Ecclesiae*, ch. xvi.

[3] BULAEUS, lib. i. p. 700, quoted in NEAND. ix. 75: 'Ut ple-
'rumque passim et publice non vereantur dicere, Nihil omnino
'curandum quot Papae sint, et non solummodo duo aut tres, sed
'decem aut duodecim, imo et singulis regnis singulos praefici
'posse, nulla sibi invicem potestatis aut jurisdictionis auctoritate
'praelatos.'

no Pope at all, was nearer than the University anticipated.

(3) *Enquiry into ecclesiastical history stimulated.*

As the evils of the Schism became more pressing, and every kind of remedy for the scandals of the present was eagerly canvassed, many an anxious eye was cast on the earlier and better ages of the Church. Hitherto, what reforms had taken place had been promptly made conformably to what to the knowledge of the day seemed most expedient, but the notion of a fixed type in the past, as the standard for present reforms, was now freely expressed; and this notion was one to which all the reformers in the sixteenth century professedly adhered. The appeal to such a standard, however, involved not only the exercise of private judgment, but it also involved the study of history; and when, soon afterwards, greater facilities were offered for that study, many were thereby led to convictions unfavourable to the papal pretensions. The study of the earlier ages of the Church raised up the greatest opponents to the Papacy; and in the sixteenth century the watchword of the reformers was the desire to revive the past. So thought the reformers of one age. Would reformers, who now claim to follow in their footsteps, rest satisfied with the past for their standard?

(4) *Secular power applied to in ecclesiastical matters.*

Amongst other things which the study of history brought to light, were the instances in which schisms had been quelled by the interposition of the emperors. Some wished those times to be revived, and would have been glad to see the secular power again interpose. Theodoric of Niem, the Pope's chamberlain, denies that the secular sword belongs to the Pope;

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he declares that 'the king of the Romans hath the right to convene the prelates to put an end to a schism,' and quotes in support of his assertion the instance of Otto I. deposing John XII.[1] In the same spirit the University of Paris had appealed to the French king, Charles, urging him to put an end to the Schism, and Charles had combined with Wenceslaus, intending to depose both the Popes. No doubt, too, the statute of Praemunire,[2] which the parliament of Richard II. enacted about this time, and which asserts the independence of the English crown against the Bishop of Rome, was in a great measure due to the prevalence of the same feeling in this country.[3] It thus becomes easy to understand how, when England and Germany broke away from the Papacy at the Reformation, ecclesiastical matters came to be determined by kings and princes. Everywhere national Churches grew up on the ruins of the imperial Papacy.

A.D. 1392

(5) *Appeal to General Councils.*

One other result of the Schism yet deserves to be mentioned, the establishment of the principle that a General Council is above the Pope.[4] Such an

[1] THEOD. A NIEM. *De Schismate*, lib. iii. ch. vii. : 'Fatue et 'adulatorie loquuntur illi, qui dicunt, quod Papa seu Ecclesia 'duos habet gladios, scil. spiritualem et temporalem. . . . Sed isti 'adulatores seu assentatores per talia scripta et dicta inducunt 'maximum errorem in tota Christianitate, et suscitant quodam-'modo perpetuam aemulationem seu discordiam inter Papam et 'Imperatorem.'

[2] See Appendix II.

[3] See the letter of King Henry IV. to Gregory, in Acta Concil. Pis. an. 1409, LABBÉ, xv. 1354. See also the authorities quoted by GIES. vol. iv. sec. 103, p. 90.

[4] MATHAEUS DE CRACOVIA, *De Squaloribus Rom. Curiae*,

opinion would have found no favour in the time of Gregory VII. or Innocent III., however much it might have been sanctioned by antiquity. But circumstances were changed since then; a long series of events had weakened the papal power; and for the present ills there seemed to be no other remedy but a General Council. After the Council of Pisa had been summoned, canonists vied with each other in upholding the new tenet,[1] and it ever continued afterwards to be a distinctive feature of the Gallican Church that a General Council is superior to the Pope.

Thus the Popes who, in consulting their private interests, prolonged the Schism, contributed most of all to the overthrow of the power of their successors. The clergy and laity were shocked at the abuses which were openly tolerated. A desire to look to the past for a standard of reform was fostered, and thereby private judgment was appealed to against authority. The secular power was invoked to heal evils which the heads of Christendom, engaged in contention, refused to remedy, and General Councils were invited to settle what was seen to be beyond the capacities of the Popes. Already during their residence at Avignon the Popes had lost their political supremacy. When, in the year 1409, the Council of Pisa met, their ecclesiastical supremacy was doomed likewise.

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ch. xxii. : 'Si ergo contingat, quod Papa sic agat circa universalem 'Ecclesiam, sicut talis Abbas, . . . sequitur . . . quod possint et 'debeant procedere contra eum.'

[1] See the authorities quoted by GIES. vol. iv. sec. 107, p. 120.

# APPENDIX II.

## STATUTE OF 16 RICHARD II. C. 5 (2), A.D. 1392: COMMONLY KNOWN AS THE STATUTE OF PRAEMUNIRE.[1]

*Praemunire for Purchasing Bulls from Rome. The Crown of England subject to none.*

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ITEM, come les communes du roialme en ce present parlement eient monstrez a nostre tresredoute seignur le roi grevousement compleignantz qu par la ou mesme nostre seignur le roi & toutz ses liges deirent de droit & soloient de tout temps purseuer en la courte mesme nostre seigneur le roi pur recoverer lour presentementz as esglises prebendes & autres benefices de seinte esglise as gueux ils ount droit a presenter la conisance de plee de quelle presente appertient soulement a courte mesme nostre seignur le roi daunciene droit de sa coronne use & approve en temps de touz ses progenitours rois d'Engleterre & quant juggement soit rendu en mesme sa courte sur tiel plee & presente les ercevesques evesques & autres persones spirituеles quount institution de tiele benefice deinz lour jurisdiction sont tenuz & ont fait

'ITEM, whereas the commons of the realm in this present parliament have shewed to our redoubted lord the king, grievously complaining, that whereas the said our lord the king, and all his liege people, ought of right, and of old time were wont, to sue in the king's courts, to recover their presentments to churches, prebends, and other benefices of holy church, to the which they had right to present, the cognizance of plea of which presentment belongeth only to the king's court of the old right of his crown, used and approved in the time of all his progenitors, kings of England; and when judgment shall be given in the same court upon such a plea and presentment, the archbishops, bishops, and other spiritual persons which have institution of such benefices within their jurisdiction, be bound, and have made execution of such

[1] Taken from STEPHEN'S *Ecclesiastical Statutes*, vol. i. p. 89.

execution des tieux juggementz par mandement des rois des tout le temps avant dit sanz interruption quare autre lay persone ne poet tiele execution faire & auxuit sont tenuz de droit de faire execution de plusours autres mandementz nostre seignur le roi de quele droit la corone d'Engleterre ad este peisiblement seisy sibien en temps nostre dit seignur le roi come en temps de touz ses progenitours tanqe enca mes ore tarde diverses processes sont faitz par le seint piere le Pape & censures descomengementz sur certeins evesques d'Engleterre pur ceo qils ount fait execution des tieux mandementz en overte desheritance de la dite corone & destruction du regalie nostre dit seignur le roy sa ley & tout son roialme si remedie ne soit mys. Et auxuit dit est & commune clamour y ad qe le dit seint piere le Pape ad ordeigne & purpose de translater aucuns prelates de mesme le roialme ascuns hors du roialme & aucuns de un eveschee a autre deinz mesme le roialme saunz assent & conisance nostre seignur le roy et saunz assent du prelat qi ensy serroit translate queux prelatz sont moult profitables & necessaries a nostre dit seignur le roi & tout son roialme par queux translations sils fusent sufertz les estatutz du roiaume serront defaitz & anientez & ses sages lieges de son conseill sanz son assent & encountre sa voluntee subtrez & esloignez hors de son roiaume & lavoir & tresore du roiaume serroit emporte & ensi mesme le roiaume destitut sibien

judgments by the king's commandments of all the time aforesaid without interruption (for another lay person cannot make such execution), and also be bound of right to make execution of many other of the king's commandments, of which right the crown of England hath been peaceably seised, as well in the time of our said lord the king that now is, as in the time of all his progenitors until this day: but now of late divers processes be made by the Bishop of Rome, and censures of excommunication upon certain bishops of England, because they have made execution of such commandments, to the open disherison of the said crown, and destruction of the regalty of our said lord the king, his law, and all his realm, if remedy be not provided. And also it is said, and a common clamour is made, that the said Bishop of Rome hath ordained and purposed to translate some prelates of the same realm, some out of the realm, and some from one bishoprick into another within the same realm, without the king's assent and knowledge, and without the assent of the prelates, which so shall be translated, which prelates be much profitable and necessary to our said lord the king, and to all his realm; by which translations (if they should be suffered) the statutes of the realm should be defeated and made void; and his said liege sages of his council, without his assent, and against his will, carried away and gotten

*The Pope awarded processes and sentences of excommunication against bishops for executing judgments of King's Court.*

*The Pope's translation of prelates, &c.*

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de counseill come davoir a final destruction de mesme le roialme & ensy la corone d'Engleterre qad este si frank de tout temps qele nad hien null terrien soveraigne mes immediate subgit a Dieu en toutes choses touchantz la regalie de mesme la corone & a null autre serroit submys a Pape & les leys & estatutz du roialme par luy defaitz enientez a sa volente en perpetuele destruction de la soveraynte nostre seignur le roy sa corone & sa regalie & tout son roialme qe Dieu defende.

*The freedom of the Crown of England.*

out of his realm, and the substance and treasure of the realm shall be carried away, and so the realm be destitute as well of council as of substance, to the final destruction of the same realm; and so the crown of England, which hath been so free at all times, that it hath been in no earthly subjection, but immediately subject to God in all things touching the regalty of the same crown, and to none other, should be submitted to the Pope, and the laws and statutes of the realm by him defeated and avoided at his will, in perpetual destruction of the sovereignty of the king our lord, his crown, his regalty, and of all his realm, which God defend.

*Promise of Commons to assist king.*

Et disoient outre les communes avantdites qe les dites choses ensi attemptez sount overtement encountre la corone nostre seignur le roi & sa regalie use & approve du temps du toutz ses progenitours par quoy ils & toutz les lieges communes du mesme le roialme veullant estere ovec nostre dit seignur le roi & sa dite corone & sa regalie en les cases avauntdites & en touz autres cases attemptez encountre luy sa corone & sa regalie en toutz pointz a vivre & murer. Et prierent outre a nostre seignur le roi & luy requistrent par voy de justice qil vorroit examiner toutz les seignurs en parlement sibien spirituels come temporeles severalment & toutz les estatz du parlement coment lour semble des cases avauntditz qe sount si overtement encountre la corone nostre seignur le roy & en derogation de sa

'II. And moreover, the commons aforesaid say, that the said things so attempted be clearly against the king's crown, and his regalty, used and approved of the time of all his progenitors; wherefore they and all the liege commons of the same realm will stand with our said lord the king, and his said crown, and his regalty in the cases aforesaid, and in all other cases attempted against him, his crown, and his regalty in all points, to live and to die. And moreover, they pray the king, and him require by way of justice, that he would examine all the lords in the parliament, as well spiritual as temporal, severally, and all the states of the parliament, how they think of the cases aforesaid, which be so openly against the king's crown, and in derogation of his regalty, and how they will stand in the

regalie & coment ils voillent estere en mesmes les cases ovesqe nostre seignur le roy en sustenance des droitz de ses dites corone & regalie. Sur quoy les seignurs temporelx ensi demandez ount respondu checun par soy qe mesmes les cases avantdites sont overtement en derogation de la corone nostre seignur le roy & de sa regalie come notoirement est & ad este de tout temps conuz & qe ils veullent estre ovec mesmes les corone & regalie en mesmes cestes cases en especial & en touz autres cases qe serront attemptez encountre mesmes les corone & regalie en toutz pointz ove tout lour poair. Et outre ce demandez estoit des seignurs espirituels illeges esteantz & des procuratours des autres absentz de lour estre avys & volente en ceux cases queux seignurs cestassavoir ercevesques evesques & autres prelatesesteantz en le dit parlement severalment examinez fesantz protestations qil nest pas lour entention de dire ne affirmer qe nostre seint piere le Pape ne poet excomenger evesques ne quil poet faire translations des prelatz solone la ley de seinte esglise respoignent & diount qe si aucunes executions des processes faitz en la courte du roi come devaunt soient faitz par ascuny & censures de escomengementz soient faitz encountre ascun evesque d'Engleterre ou ascun autre liege du roi pur ce qils ount fait execution des tieux maundementz & qe si ascuns executions des tieux translations soient faitz dascuns prelatz de same cases with our lord the king, in upholding the rights of the said crown and regalty. Whereupon the lords temporal, so demanded, have answered every one by himself, that the cases aforesaid be clearly in derogation of the king's crown, and of his regalty, as it is well known, and hath been of a long time known, and that they will be with the same crown and regalty in these cases specially, and in all other cases which shall be attempted against the same crown and regalty in all points, with all their power. And moreover it was demanded of the lords spiritual there being, and the procurators of others being absent, their advice and will in all these cases; which lords, that is to say, the archbishops, bishops, and other prelates, being in the said parliament severally examined, making protestations, that it is not in their mind to say nor affirm that the Bishop of Rome may not excommunicate bishops, nor that he may make translation of prelates after the law of holy church, answered and said, that if any executions of processes made in the king's court as before be made by any, and censures of excommunications to be made against any bishops of England, or any other of the king's liege people, for that they have made execution of such commandments; and that if any executions of such translations be made of any prelates of the same realm, which prelates be very profitable and necessary to our

*Promise of the lords temporal.*

*The promise of the lords spiritual.*

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mesme de roialme queux seignurs sount moult profitables & necessairs a nostre dit seignur le roi & a son roiaume suisdit ou qe les sages lieges de son counseil saunz son assent & encountre sa volunte soient sustretz & esloignez hors du roialme siqe levoir & tresor du roialme purroit estre destruit qe ce en encountre le roi & sa corone sicome est contenuz en la petition avant nome. Et semblablement les dites procuratours chescun par soy examine sur le ditz matieres ount respondu & dit en noun & pur lours seinurs comes les ditz evesques ount dit & respondu & qe les ditz seignurs espirituels veullent & devient estere ovesqe le roi nostre seignur en ceux cases loialment en sustenance de sa corone & en toutz autres cases tochantz sa corone & regalie come ils sount tenuz par lour ligeance sur quoy nostre dit seignur le roi del assent avauntdit & a la priere de sa dit communalte ad ordeigne & establie qe si ascun purchace ou pursue ou face purchacer ou pursuer en la courte de Rome ou aillours ascuns tieux translations processes & sentences de escomengementz bulles instrumentz ou autre chose qeconque qe touche le roi nostre seignur encountre luy sa corone & regalie ou son roialme come devant est dit & ceux qe les porte deinz le roialme ou les resceive ou face ent notification ou autre execution queconqe deinz mesme le roialme ou dehors soient ils lour notairs procuratours meintenours abbettours fautours & counseillours

*The promise of the procurators of the lords spiritual.*

Praemunire *for purchasing of bulls or other instruments from Rome, or elsewhere.*

said lord the king, and to his said realm, or that the sage people of his council, without his assent, and against his will, be removed and carried out of the realm, so that the substance and treasure of the realm may be consumed, that the same is against the king and his crown, as it is contained in the petition before named.

And likewise the same procurators, every one examined by himself upon the said matters, have answered and said in the name, and for their lords, as the said bishops have said and answered, and that the said lords spiritual will and ought to be with the king in these cases, in lawfully maintaining of his crown, and in all other cases touching his crown and his regalty, as they be bound by their ligeance; whereupon our said lord the king, by the assent aforesaid, and at the request of his said commons, hath ordained and established, that if any purchase or pursue, or cause to be purchased or pursued, in the court of Rome, or elsewhere, by any such translations, processes and sentences of excommunications, bulls, instruments, or any other things whatsoever which touch the king, against him, his crown, and his regalty, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any other execution whatsoever within the same realm, or without, that they, their notaries, procurators, maintainers, abettors, fau-

mys hors de la protection nostre dit seignur le roi et lours terres & tenementz biens & chatieux forfaitz au roy nostre seignur & qils soient attachez par lour corps sils purront estre trouvez & amesnez devaunt le roy & son conseil pur y respondre es cases avauntditz ou qe processe soit fait devers eux par premunire facias en manere come est ordeigne en autres estatutz des provisours & autres qui seueut en autry courte en derogation de la regalie nostre seignur le roy.

tors, and counsellors *shall be put out of the king's protection*, and their lands and tenements, goods and chattels, forfeit to our lord the king; and that they be attached by their bodies, if they may be found, and brought before the king and his council, there to answer to the cases aforesaid, or that process be made against them by *praemunire facias*, in manner as it is ordained in other statutes of provisors, and other which do sue in any other court in derogation of the regalty of our lord the king.'

# CHAPTER XV.

## THE INDEPENDENT COUNCILS OF THE WEST.

(1409—1449.)

*A planta pedis usque ad verticem, non est in eo sanitas; vulnus, et livor, et plaga tumens, non est circumligata, nec curata medicamine, neque fota oleo.*—Is. i. 6.

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A. *The Council of Pisa,* A.D. 1409, *and the Papacy of Alexander V. and John XXIII.*

ON the 25th day of March in the year 1409, the General Council, which had been so long anxiously anticipated as the only remedy for the schism of the Church, was opened at Pisa.[1] It met when the ecclesiastical supremacy of the Popes was already doomed; it was the first of a series of councils which carried that doom into execution. Well might the rival Pontiffs tremble before such

[1] The Acts in LABBÉ, xv. 1123 *seq.*; Sessio i. 1127: 'In concilio . . . processum extitit per hunc modum. Primo, fuerunt factae processiones solemnes, et postmodum in ecclesia cathedrali dictae civitatis fuit Missa devotissime . . . celebrata, et sermo factus . . . Missa vero celebrata, cantatae fuerunt antiphonae, et certae orationes dictae; et postmodum diaconus alta voce dixit *Orate.* Tunc flexis genibus et inclinato capite, omnes oraverunt submissa voce mitris positis: deinde diaconus et subdiaconus cantaverunt alta voce litanias et omnes responderunt.' Then came prayers for union, and then was sung the *Veni Creator Spiritus.* Afterwards a committee appointed by the council repaired to the doors of the church, and asked whether Benedict and Gregory were present in person or by deputy, and no one replying, proctors were appointed by the council.

a tribunal.[1] Well might they attempt to forestall its influence by holding councils themselves. All was in vain. This time Western Christendom was thoroughly in earnest, and before the imposing list of prelates assembled at Pisa, the conciliabules (as they were tauntingly called) of Perpignan and Aquilaea sink into insignificance.

(1) *Acts of the Council.*

That session must indeed have been a startling one, in which, for the first time, after the unrivalled pretensions of the Popes during the past centuries, an assemblage of prelates sat in judgment on two contending Popes; and the Fiscal advocate, who acted as secretary, after reading a lengthy report on the origin and progress of the Schism, proposed that the two Popes should be deprived of their pontifical dignity, and should be punished and chastised by secular judges if they contravened the sentence pronounced on them by the council.[2] More startling still must that session have seemed, held on June 5 of the same year, in which the Patriarch of Alexandria pronounced the definitive sentence of deposition

(*a*) *Gregory XII. and Benedict XIII. deposed.*

[1] It was convened by the cardinals. See the letter in LABBÉ, xv. 1123. There were present not only patriarchs, archbishops, bishops, abbots, but also sacrae theologiae magistri et utriusque juris doctores, et licentiati nobiles and proctors for the absent prelates.

[2] Sessio iii. March 30, 1409, LABBÉ, xv. 1129 : 'Sancta Synodus '. . . dominos Petra de Luna, Benedictum XIII. et Angelum 'Corarium, Gregorium XII. nuncupatos, de papatu contendentes, 'et quantum in eis est, ecclesiam Dei notorie in schismate tenentes '. . . reputat, decernit et declarat in causa schismatis et fidei 'contumaces, ponitque in contumacia et defectu, et ordinat in 'eorum contumacia debere ad ulteriora procedi et procedendum 'fore.'

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declaring that 'the Holy Universal Church, assembled by the Grace of God in the Cathedral of Pisa, having duly heard the promoters of the cause for the extirpation of the Schism, hereby pronounces the crimes and excesses adduced before the council against Gregory XII. and Benedict XIII. to be true; . . . and that although by the canons they are actually rejected of God, nevertheless, the Church by this sentence deposes, rejects, and deprives them, prohibiting both and each of them from assuming any longer the sovereign pontificate, and for further security declaring the Papacy to be vacant.'[1] For the sentence there delivered was not only a sentence on two contending Popes, condemning them for their vices and contumacy, but it was a sentence of condemnation officially uttered on the ecclesiastical supremacy of the Papacy.

*(b) Election of Alexander V.*

The next necessary step, without which, indeed, the deposition of the two Popes would have been a nullity, was the election of a new Pope. But here some difficulties occurred. It was necessary to take precautions before proceeding to a new election, lest the work of reform should be frustrated. Accordingly, before that step was taken, the cardinals pledged themselves that whoever should be elected Pope, the council should not be broken up until a satisfactory reformation should be effected in the head and the members of the Church.[2] They forgot

[1] See the sentence at Sessio xv. June 5, 1409, LABBÉ, xv. 1137.

[2] The Cardinals had to take the oath at Sessio xvi. June 10. It runs, LABBÉ, xv. 1140: 'Nos omnes et singuli . . . cardinales '. . . promittimus in verbo veritatis, Deo, ecclesiae Romanae, et

that, in the absence of any power to enforce its observance, this pledge, like so many taken by the cardinals before them, was probably destined to be miserably violated. They then proceeded to the election, and Peter de Candia was unanimously chosen on June 26.[1] He took the name of Alexander V.[2]

A.D. 1409-1410

The new Pope at once announced his intention of doing as he had promised, and took the business of reform in hand. But Alexander sought to appease, not to satisfy. He made many promises, but little came of them. It was however arranged that a new council should be held in three years time, to continue the work already begun.[3] At the final session it was ruled that 'whereas the Pope hath in purpose to reform the Church, and whereas many things still remain to be done, which can not be attended to, owing to the premature departure of the prelates and delegates, therefore the transactions respecting the reformation shall be suspended until the meeting of the next council;'[4] and on August 7, the assembly of Pisa was dissolved.

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'sanctae synodo . . . quod si quis nostrum in summum Roma-
'num pontificem eligatur, praesens concilium continuabit, nec
'dissolvet, nec dissolvi permittet . . . usquequo per consilium
'ejusdem concilii sit facta debita, rationabilis et sufficiens refor-
'matio universalis ecclesiae et status ejus tam in capite quam in
'membris.'

[1] Sessio xix. LABBÉ, xv. 1142. See a more detailed account, *ibid.* p. 1256.

[2] He died May 3, 1410. His life in LABBÉ, xv. 1377.

[3] Sessio xx. *ibid.* p. 1144, and xxii. *ibid.* 1146.

[4] LABBÉ, xv. 1148, Sessio xxiii.: 'Cum . . . jam multa per
'Dei gratiam sint expedita per ipsum Dominum nostrum Papam,

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(2) *After events.*

A.D. 1410–1414

(*a*) *Bull of Alexander.*

In the interval between the election of Alexander V. and the assembling of the next General Council at Constance, several events happened which weakened the ecclesiastical power of the Popes. The Bull of Alexander, issued but a few months after his accession, by which the four orders of friars were invested with the uncontrolled power of hearing confession and granting absolution in every part of Christendom without requiring the consent of the parochial clergy—a Bull intended, no doubt, to attach those powerful pleaders to the Pope's party[1]—had incensed the secular clergy against the Papacy, and increased the disorders already prevailing. At the same time the language of the Bull was subversive of the higher claims of the Popes, since it rescinded and nullified seven propositions advanced by the preceding Popes. Of one proposition it even averred that it was propounded by John XXI., when under condemnation for heresy.[2] A Pope who could condemn his predecessors, might naturally expect the same treatment at the hands of his successors. If one

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'et multa alia . . . restent, quae propter regressum praelatorum 'et ambasciatorum, de praesenti expediri non possunt: propterea 'idem dominus noster, sacro requirente et approbante concilio, 'dictam reformationem suspendit et continuat usque ad proximum 'jam indictum concilium.'

[1] THEOD. A NIEM. lib. iii. ch. li.: 'Aliquos etiam fratres mi- 'nores, sibi caros et sociales publicis officiis et lucrativis, quae 'prius consueverunt regi per saeculares personas habiles et exper- 'tas, in eadem sua Curia praefert, et miro modo conabatur pleros- 'que fratres minores cathedralibus Ecclesiis vacantibus praeficere 'in pastores.'

[2] MILMAN, book xiii. vol. viii. ch. v. p. 123 (small edition).

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Pope charged another with being a heretic, what was there to prevent ecclesiastics from following his example?

(b) *Election of John XXII.* A.D. 1410–1415

Still no such treatment fell to the lot of Alexander V. himself, who died soon afterwards, and it was whispered that his death was owing to the effects of poison. His death might have afforded an opportunity for dissipating doubts as to the validity of the proceedings of the Council of Pisa; but that opportunity was not embraced. The deposed Pontiffs were treated as deposed; and the acts of the council received a further independent confirmation, when twenty-four cardinals unanimously concurred in electing a successor to Alexander in the person of Balthasar Cossa, who assumed the name of John XXII.[1] There could be no pretence that this election was made under the influence of fear, or of indirect pressure brought to bear upon the cardinals by the council. Of their own free will the cardinals met. Of their own free will they elected John XXII. But to what a depth of degradation they must have sunk, when they could elect such a monster as Balthasar Cossa!

(c) *Political events in Italy.*

But although the election of a new Pope was a confirmation of the acts of the Council of Pisa, and thus dealt one more blow at the ecclesiastical independence of the Popes, it did not improve the condition of suffering Christendom. The deposed Popes, Gregory XII. and Benedict XIII., refused

[1] John XXII. was elected May 1410, and was deposed by the Council of Constance, 1415. For his life, see LABBÉ, xv. 1381.

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to recognise the tribunal which passed sentence on them, and denied the validity of their deposition. Thus the evils of the Schism were increased instead of diminished, there being three rival Popes now, instead of two as before. Gregory still retained on his side Naples, and several of the smaller Italian states, besides the German bishops of Trier, Speyer, and Worms, whilst to the cause of Benedict XIII. Spain and Scotland adhered. To make matters worse, the secular arm was invoked in Italy by John XXII. A crusade was preached against Ladislaus of Naples, the protector of Gregory XII.;[1] the projected crusade proved abortive; Ladislaus was bribed to abandon the cause of Gregory, and to acknowledge John. The position of John was not an enviable one, nor was it altogether secure. Treacherous, unscrupulous, and faithless as he might be, he nevertheless thought it best, under the circumstances, not to imperil his own title to the Papacy by disparaging the council to which his predecessor owed his See. He therefore obeyed the decree enacted at Pisa, and at the expiration of three years, he convened a reformatory council at Rome.[2] Nothing, however, was done by the council—itself a meagre assembly, attended by only a few Italian prelates. The Church was still unreformed. John had been eluding what he feared. He had been in vain trying by private benefits to stave off the demands of the University of Paris,

A.D. 1412

[1] RAYNALD, an. 1411, No. 5; an. 1412, No. 2.

[2] The Council condemned Wycliffe and Huss, LABBÉ, xv. 1380.

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clamorous for improvement.[1] Suddenly a new turn was given to events by the appearance of Ladislaus with an army before Rome. John was compelled to fly into northern Italy, and threw himself into the arms of the Emperor Sigismond. A.D. 1413

B. *Council of Constance.* 1414–1418

(1) *The council convened.*

The Pope was now in the emperor's hands. A common political interest, it is true, united them in their quarrel with King Ladislaus. Still Sigismond, having been invited by all the better men of that age to effect a cure for the prevalent evils, was not disposed to let the opportunity slip for healing the Schism. The project of convening a reformatory council was proposed to John XXII. John found it impossible to elude the demand. He consented reluctantly; the only point about which he entertained apprehensions, being the place at which the council should assemble.[2] The free German city of Constance

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[1] See NEAND. ix. 126.

[2] LEONARDUS ARETINUS in MURATORI, xix. 928: 'Unicum 'remedium et Imperatori et Pontifici videbatur generale Con- 'cilium advocari. Sed erant circa hoc ipsum constituenda per- 'multa, ceu locus, tempus, modus. Missi sunt igitur his de 'causis ad Sigismundum legati. Horum missio Legatorum ruinae 'Pontificis initium fuit. Qua in re non videtur praetereundum 'mirabile quiddam, quod tunc accedit, ut omnia coelitus gubernari 'cognoscamus. Communicaverat mecum Pontifex arcane mentem 'et cogitationem suam. *In loco*, inquit, *Concilii rei summa est, nec 'ego alicubi esse volo, ubi Imperator plus possit. Legatis igitur istis 'qui a me mittuntur, mandata amplissima, potestatemque maximam 'ad honestatis speciem dabo, quae palam ostentare possint atque pro- 'ferre: secreto autem mandatum restringam ad loca certa.*' Afterwards changing his mind, he gave general instructions to his ambassadors, upon which they acted. But when the Pope heard that the city of Constance had been decided upon, 'incredibile

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was proposed by Sigismond, and accepted by the legates of the Pope; and John, unable to withdraw with honour from the acts of his plenipotentiaries, put forth, in common with the emperor, a proclamation for a council to meet there to restore unity to the Church, and to carry out a reformation in the head and in the members.[1]

(2) *Order of proceedings.*

(a) *Voting by nations.*

The rules which were drawn up in the earlier sessions to regulate the order of proceeding in the council, are characteristic of the then state of opinions. They show in the clearest manner, how strongly the tide was setting against the exorbitant pretensions of the Popes and the higher clergy. In one of these sessions, a rule was agreed to, which, at the same time that it protected the council from the undue influence of Italian ecclesiastics, proves that the old Catholic idea of the Church, as a society, knowing no distinction of nationalities, of Jew or of Greek, was passing away with the world-sovereignty of Rome, and that on the ruins of that idea, the modern notion of national churches was already beginning to grow up. Still, under the circumstances, that rule was needed. It was to the effect that votes should be taken by nations and not by heads. The deputies of each nation should hold their separate meetings; the decision of the majority should pass as the judgment of the nation; and whatever was decreed by the

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'quantum indoluit, se ipsum et fortunam suam detestatus, quod 'tam leviter a cogitatione, propositoque illo pristino restringendo-'rum locorum descivisset.'

[1] The Bull of Convocation in Sessio i. Concil. Constan. November 16, 1414, LABBÉ, xvi. 17. The letter of Sigismond, *ibid.* p. 793.

majority of the nations, of which there were at first four—the Italian, the French, the German, and the English—should be proclaimed as a decree of the council.[1] It was a sign of the corruptness of the times, and of the party motives at work, that such a precaution should be necessary. But most necessary it was since the Pope, to make doubly sure of his influence in the council, had freshly appointed fifty chamberlains, all possessing votes, although his Italian supporters already predominated. After such conduct, how could John, or the other members of the council, who on their own showing were acting in a spirit of mutual jealousy and national rivalry, attribute their actions to the influence of the Holy Ghost?

*(b) Voting by learning.*

Another regulation intended to check the power of the Pope, was that by which a place was allowed in the council to doctors in the faculties of Theology and of Civil and Canon Law. For since to them

[1] In tertia cedula, apud LABBÉ, xvi. 43: 'Incidit quaestio, quo-'modo deciderentur agenda in concilio, et fieret scrutinium voto-'rum; utrum per nationes in genere, quarum quatuor erant 'Italiae, Galliae, Germaniae et Angliae; vel per capita singula. 'Et licet clarum de jure videatur, perscrutanda sunt vota per 'capita singula; quia tamen plures sunt praelati Italiae pauperes, 'quam fere de omnibus nationibus, praeterea dominus noster fe-'cerit in numero excessivo praelatos cubicularios ultra quinqua-'ginta. Dicitur praeterea quod multos voluit sibi obligare jura-'mentis et muneribus, alios minis terruisse, et ita scrutando per 'capita nihil fieret, nisi quod vellet dominus noster. . . .' P. 44: 'Interim nationes Galliae, Germaniae et Angliae, et ita postea 'Italiae per se ipsos se congregaverunt, et deciderunt de facto 'quaestionem.' CERRETANUS in *Acta Concil. Const.* (VON DER HARDT, book iv. ch. ii. p. 40) says: 'Die Jovis, septima Februarii, 'post nonnullas disceptationes decretum est, ut in Concilio per 'nationes, et non per vota procederetur.'

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were entrusted the offices of teaching and preaching, the council felt that their opinion ought to command more weight than that of titular bishops and abbots, who neither preached nor taught, nor, indeed, had any cure of souls, but were simply nominees of the Pope. A definitive vote was further allowed to all the beneficed clergy, and not to the bishops only;[1] inferior ecclesiastics, who preach and have the cure of souls, were declared to have a better right to join in the discussion of purely spiritual matters than the ignorant titular prelates, many of whom the Cardinal of St. Mark denominated *mitred asses*.[2] These ecclesiastics

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[1] In tertia cedula Concil. Const., LABBÉ, xvi. 40, Peter d'Ailly, Cardinalis Camaracensis, scripsit cedulam, observing: 'Sicut 'patet in Actibus Apostolorum et in historia Eusebii, . . . quan- 'doque congregabatur in conciliis tota communitas Christianorum, 'quandoque episcopi, presbyteri, diaconi, quandoque soli episcopi 'sine abbatibus, quandoque cum episcopis abbates. . . . Et scien- 'dum est, quod quando in conciliis generalibus soli episcopi habe- 'bant vocem diffinitivam, hoc fuit, quia habebant administratio- 'nem populi, et erant viri sancti, et docti et electi prae ceteris in 'ecclesia Christiana. . . . Et eadem ratione addi deberent priores, 'aut majores quarumcumque congregationum, plusquam episcopi, 'vel abbates inutiles, solum titulares, et in quibus deficiunt con- 'ditiones supradictae, et qui forte in hac materia sunt suspecti. . . . 'Item eadem ratione, qua supra, non sunt excludendi a voce diffi- 'nitiva sacrae Theologiae doctores, ac Juris canonici et civilis. . . . 'quibus datur auctoritas praedicandi et docendi ubique terrarum. '. . . Idem dicitur de regibus et principibus, aut eorum ambassia- 'toribus, et de procuratoribus absentium praelatorum, et capitu- 'lorum.'

[2] The Cardinal of St. Mark observed, in tertia cedula Concil. Const. LABBÉ, xvi. 41: 'Tu, quisquis es, qui praetendis solos ma- 'jores praelatos, ut his verbis utar, episcopos et abbates vocem in 'generali concilio, et ita excludis doctores, archidiaconos, rectores 'parochialium ecclesiarum, ceterosque dignitates habentes, quibus

were at least interested in the reform of the Church. Besides, the University of Paris—a university then aspiring to be a legislative power for all theological development—to which the Doctors of Theology and Law chiefly belonged, had interests of her own which she wished to protect. A third regulation which the council made was likewise aimed at reducing the Pope's power. The council had enlisted national feeling and the independent spirit of the Parisian doctors against the Papacy; it now proceeded to enlist the support of the laity, already disgusted with ecclesiastical abuses, by giving to princes and their envoys a right to vote. The matters before the council closely affected the relations of sovereigns to their subjects. Their assistance was required to execute its decrees. It was, therefore, justly conceded that they ought to have a voice in the proceedings.

(c) *Votes given to princes and envoys.*

In all these regulations the council did but go back to the example of the earliest ages, in which that sharp distinction between bishops and other clergy, between clergy and laity, which the circumstances, the superstition, and the ignorance of the Middle Ages had drawn, was as yet unknown. Still it violated the usual custom. For in the lapse of centuries it had come to be an almost universally received maxim that none but bishops should take part in ecclesiasti-

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'cura imminet animarum, ordines praeterea ecclesiasticos, sacer-
'dotes et diaconos, die ubi illos non admittendos legisti? Et si
'legeris conciliorum antiquorum actiones, reperisti sacerdotes et
'diaconos admissos. . . .' See NEAND. ix. 140.

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cal assemblies. It had been otherwise at Nicaea; and the cardinal priests and cardinal deacons of the Roman Church were themselves an exception to the rule. The change to the older use was undoubtedly a right one, but as being a change in the lately received practice of the Church, it needed some authoritative sanction. That sanction, however, having been given by the council itself, the Fathers proceeded at once to deal with the weighty business before them.

*(3) Efforts to heal the Schism.*

*(a) The Pope's offer to resign.*

Two matters in particular were proposed as constituting the business for which the council had been convened; they were the healing of the Schism and the reformation of the Church.[1] The council first addressed itself to the most pressing of the two, the healing of the Schism. On this point, two alternatives seemed open for election: either the acts of the Council of Pisa must be ratified, in which case John XXII. would be the only legitimate Pope, but the supporters of the other Popes would probably refuse to acknowledge him as such; or if the Council of Pisa were not acknowledged, John XXII. must be induced to resign as well as the other two Popes. The question was argued in the congregation of December 7. The Italians were anxious to ratify the acts of the Council of Pisa,[2] but the opposite alter-

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[1] In the cedula Cardinalis S. Marci, LABBÉ, xvi. 32: 'In 'Generali Concilio Constantiensi duo sunt agenda principaliter. 'Primum de pace et unione perfecta ecclesiae. Secundum de 'reformatione status ecclesiastici.'

[2] In Schedula Italorum, LABBÉ, xvi. 23: 'Primo ad submoven-'dum omne dubium . . . declaretur Concilium Pisanum, omnia-'que . . . gesta in eo . . . fuisse et esse rationabilia. In cedula

native was supported by Peter D'Ailly, Cardinal of Cambray.[1] A proposition to disallow the Council of Pisa was made by the Cardinal of St. Mark;[2] and John XXII., finding himself threatened with an exposure of all his enormities,[3] promised at the second session to abdicate his functions, provided the two other claimants would do the same.[4]

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A.D. Feb. 1415

March, 1415

(b) *The Pope's flight.*

It was one thing to obtain from such a Pope as John XXII. a promise to resign; it was another to obtain the fulfilment of that promise. For John, as he himself declared, was ready to make professions before the council, secretly relying on a belief of his own that a Pope could not be deposed for any crimes, however bad they might be, but only for heresy.[5]

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'Cardinalis St. Marci, *ibid.* p. 33: 'Turpe est et periculosum 'Pisanum Concilium in dubium revocare.'

[1] LABBÉ, xvi. 24. See also his language, *ibid.* pp. 26, 29: 'Licet 'Concilium Pisanum probabiliter credatur repraesentasse univer-'salem Ecclesiam . . . tamen . . . non est necessario conclu-'dendum quod illuc Concilium errare non potuit. . . . Nam 'secundum quosdam magnos Doctores, generale Concilium potest 'errare, non solum in facto, sed etiam in jure, et quod magis est, 'in fide. Quia sola universalis Ecclesia hoc habet privilegium, 'quod in fide errare non potest.'

[2] LABBÉ, xvi. 33: 'Patet conclusio ex dictis summi Pastoris, 'dicentis: *Bonus pastor animam suam ponit pro ovibus suis.* 'Haec autem boni pastoris proprietas, ut animam suam ponat 'pro ovibus suis. . . . si autem animam . . . multo magis acci-'dentia vitae, honorem, potestatem, dominatum.'

[3] THEOD. A NIEM. *De Vit. Jo. XXII.* lib. ii. ch. iii.

[4] See the account of the vow in LABBÉ, xvi. 47.

[5] THEOD. A NIEM. *De Vit. Jo. XXII.* lib. ii. ch. iii.: 'Et pro-'posuit tunc in mente sua, prout et ore propalavit, quod ipsemet 'dictum concilium vellet personaliter accedere, et quae de con-'tentis in eisdem articulis perpetrasset, coram ipso Concilio in

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On March 2, he promised to resign; on the 20th he retreated, or rather he escaped from Constance to Schaffhausen.[1] Choosing the time of nightfall, when the whole of the town had gone forth to witness a splendid tournament held outside the gates in honour of the arrival of his own supporter, Duke Frederic of Austria; disguised as a rustic, with a grey cloak and a kerchief wrapped close about his face; and riding on a wretched, ill-accoutred horse, the Pope stole out of Constance. A ride of two hours brought him to the Rhine, where a boat was in waiting. Hastily entering it, he put off into the stream, and soon the rapid current brought him to Schaffhausen, the castle of which was a stronghold of the Duke of Austria.

*(c) Vindication of the powers of the Council.*

So far from damping the ardour of the reformers, the flight of John added vigour and decision to their conduct. It was clear that the Pope had no intention of resigning. The Fathers must take the matter into their own hands. They must follow the example of the Fathers of Pisa, and assert their own supreme power. Above all, they must be united in order to frustrate the policy of a Pope whose maxim was to rule by sowing dissension. Accordingly, encouraged by the firmness of the emperor, who was present at the third session in state, and urged by the powerful

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'publico fateri, fundans se in hoc, quod Papa propter quodcumque delectum, ut dicebat, nisi propter haeresim, deponi non posset.'

[1] LABBÉ, xvi. 58: 'Die Mercurii vicesima Martii, dominus noster praedictus de nocte recessit, aut verius fugit de civitate Constantiensi.'

oratory of Gerson,[1] the council proceeded to entertain and to pass decrees asserting its own dignity and power.[2] Amongst other things, it was declared that this council, lawfully assembled in the Holy Spirit, and representing the Catholic Church Militant, has received its authority directly from Christ, which every one, whatever be his rank, without excepting the papal, is bound to acknowledge in matters relating to faith and the reformation of the Church. It further sets forth that, Pope John not having authority to remove the Roman Court and its officials from Constance elsewhere, all that has been done by him in disparagement of the said council is null and void. It moreover appointed a committee of three delegates from each of the nations to give licenses to those wishing to depart, and to punish those going away without leave; and it forbade the creation of any new cardinals.[3] Although no reference was distinctly made to the Council of Pisa, yet such declarations

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[1] In LABBÉ, xvi. 1312.

[2] See those decrees as passed at the third session, March 25, 1415, in LABBÉ, xvi. 61.

[3] Sessio iv. March 30, 1415, LABBÉ, xvi. 67: 'Quod ipsa 'Synodus in Spiritu Sancto congregata legitime, generale Con-'cilium faciens, ecclesiam catholicam militantem repraesentans, 'potestatem a Christo immediate habet, cui quilibet cujuscumque 'status vel dignitatis, etiam si papalis existat, obedire tenetur in 'his quae pertinent ad fidem et extirpationem dicti schismatis.

'Quod sanctissimus dominus noster Papa Joannes [XXII.] Ro-'manam curiam, et officia publica illius vel illorum officiarios . . . 'ad alium locum non mutet . . . Et si contrarium fecisset . . . 'id totum sit irritum et inane.

'Quod de qualibet natione eligantur tres, qui cognoscant de

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were tantamount to an approval of its proceedings. For the second time since the rise of the papal power, a council had made its authority felt above that of the Pope. Soon it was about to repeat those proceedings, and in a stronger form than before.

*(d) End of the Schism.*

A.D. 1415–1417

*( ) John XXII. deposed.*

May 29, 1415

For the Council of Constance was resolutely bent on accomplishing the object for which it had been convened. The process therefore immediately commenced against John XXII.[1] A citation was issued for him to appear before its tribunal;[2] and Duke Frederic of Austria, who had carried the Pope off for security, was compelled to deliver him into the hands of the Emperor Sigismond,[3] by whom he was kept in close confinement at Ratolfszell. Because of the heavy charges brought against him, he was first suspended, on May 14, from all spiritual offices.[4] Seventy articles were then exhibited against him, sixteen of the worst

May 25, 1415

of which were dropped for the sake of public decency.[5]

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'causis recedere volentium, et poenis recedentium sine licentia 'infligendis.

'Quod pro bono unionis non creentur novi Cardinales.'

[1] Sessio vi. April 17, 1415. LABBÉ, xvi. 90.

[2] Sessio vii. May 2, 1415. *Ibid.* p. 111.

[3] See the account. *Ibid.* p. 125.

[4] Sessio x. May 14, 1415. *Ibid.* p. 144.

[5] Sessio xi. May 25, 1415. LABBÉ, xvi. 178. Among the charges were simony and extortion. The fifth article charges him with being 'pauperum oppressor, justitiae persecutor, iniquorum 'columna, simoniacorum statua, carnis cultor, vitiorum faex, a vir- 'tutibus peregrinus, consistoria publica fugiens, ac totus somno et 'aliis carnalibus deditus desideriis, vitae et moribus Christi totus 'contrarius, infamiae speculum, et omnium malitiarum profundus 'adinventor.' The sixteenth, with selling the same benefice to several at once. The twenty-seventh, with instigating 'multa cri-

CHAP. XV.

A.D. May 29

And four days later, on May 29, the final sentence of deposition[1] was pronounced on him—a sentence, the justice of which he himself acknowledged, and declared that he surrendered the papal dignity of his own free will.[2] On July 4, in the same year, Gregory XII.'s voluntary resignation was handed in.[3] Benedict XIII. alone remained obstinate. Every attempt to conciliate him failed; he refused to make any concessions.[4] Wearied out with his obduracy, his supporters, the Kings of Aragon and Navarre,

(β) *Gregory XII. resigns.* July 4, 1415

(γ) *Benedict XIII. deposed* July 26, 1417

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'mina, videlicet sacrilegia, adulteria, homicidia, spoliationes, rapi-'nas et furta in urbe Romana.' Other articles, *ibid.* p. 192, asserted 'quod dominus Joannes Papa cum uxore fratris sui, et 'cum sanctis monialibus incestum, cum virginibus stuprum, et cum 'conjugatis adulterium, et alia incontinentiae crimina.' *Ibid.* p. 194: 'Quin immo dixit et pertinaciter credidit, animam homi-'nis cum corpore humano mori et extingui ad instar animalium 'brutorum.'

[1] Sessio xii. May 29, 1415, LABBÉ, xvi. 209. The sentence, *ibid.* p. 212: 'Sacrosancta generalis Synodus Constantiensis in 'Spiritu Sancto legitime congregata, universalem Ecclesiam re-'praesentans, invocato Christi nomine . . . visis articulis in hac 'causa contra dominum Joannem Papam [XXII.] formatis . . . 'ac probationibus eorum factis . . . per hanc sententiam diffini-'tivam . . . pronunciat, decernit et declarat . . . ipsum domi-'num Joannem simoniacum notorium, bonorumque et jurium . . . 'ecclesiarum . . . dilapidatorem notorium, malumque spiritua-'lium et temporalium ecclesiae administratorem . . . fuisse et 'esse; . . . ipsumque propter praemissa . . . tanquam indignum 'et inutilem et damnosum a papatu . . . amovendum, privandum, 'et deponendum fore. Et cum hoc dicta sancta synodus amovet, 'privat et deponet,' etc.

[2] LABBÉ, xvi. 215.

[3] Sessio xiv. July 4, 1415, LABBÉ, xvi. 221. The resignation, *ibid.* p. 224, bears date March 13.

[4] A requisition was addressed to him by the council at its fourteenth session, *ibid.* p. 239. A deputation was resolved upon at

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withdrew from his obedience in the ensuing year,[1] and a few months later joined the council as a fifth nation;[2] and at length, on July 26, in the year 1417, following the example set at Pisa, the assembled prelates pronounced on him the sentence of deposition.[3] But although deposed, Benedict XIII. had still supporters in the small town of Peniscola. There he died; and there, after his death, an antipope ruled, elected by the cardinals who were with him.[4] With this one exception, all other countries acknowledged the Council of Constance. One of the objects for which the council had been convened was accomplished. The great Schism was at an end.

A.D. July 26, 1417

1424

(4) *Failure of the Council in producing reformation.*

Far less success attended the efforts of the council to secure the other object for which it had been convened—the reformation of the Church. It is true, a committee of reform, consisting of four cardinals and

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the sixteenth, *ibid.* p. 266, and dispatched at the seventeenth session, July 15, 1415, *ibid.* p. 272. At the twenty-third session, November 5, 1416, a commission was appointed to investigate the charges against him, *ibid.* p. 487. At the twenty-fourth session, November 28, 1416, a citation was issued requiring him to appear, *ibid.* p. 497. At the thirty-third (May 12, 1417) and following sessions the process was carried on, *ibid.* p. 654.

[1] At the twenty-first session, May 30, 1416. See the Subtractiones, LABBÉ, xvi. 460. The Subtractiones were approved by the council at the thirtieth session, March 10, 1417, *ibid.* p. 566.

[2] At the twenty-second session, October 15, 1416. LABBÉ, xvi. 470.

[3] At the thirty-seventh session, July 26, 1417. *Ibid.* p. 680.

[4] Benedict XIII. died in 1424. He left behind him four cardinals, three of whom elected a Clement VIII., the fourth a Benedict XIV. Clement VIII. was obliged to abdicate at a council in Tortosa, A.D. 1429. See LABBÉ, xvii. 143.

deputies from the different nations, had been appointed as early as the year 1415, to prepare the necessary preliminaries;[1] and this committee held deliberations, and drew up a protocol.[2] But what could be expected in the way of reformation, when the greatest abuses were being daily committed by those who had to initiate the reform; when the laxity of morals was so great, that the presence of the council attracted fifteen hundred prostitutes to the city;[3] when simony was practised during the very acts of reform; when many who came to the council, came only to depart with huge rolls of petitions, or with recommendatory letters from their princes, and when one of the first objects of the bishops was to maintain their rights of collation and patronage?[4]

*(a) Owing to the corruption of its members.*

The rock, however, on which the reforming attempts of the council more immediately suffered shipwreck, was the election of a new Pope. The Emperor Sigismond had at first the German, the English, and the French nations on his side, when he insisted that the work of reform must precede the election of a new Pope. Of a different opinion were the Italians and Spaniards, never perhaps seriously wishing to see reform inaugurated.[5] These did their

*(b) Owing to election of new Pope.*

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[1] At sessio xiii. June 15, 1415. LABBÉ, xvi. 220.

[2] Published in VON DER HARDT, lib. x. p. 583, and LABBÉ, xvi. 1042 *seq.*

[3] See perbrevis descriptio in LABBÉ, xvi. 1435: 'Item dicitur, 'quod una meretrix lucrata est viii. c. florenos. Item, quidam civis 'Constantiensis vendidit uxorem suam Cancellariis Regiis pro v. c. 'ducatis, pro quibus pecuniis emit domum.'

[4] NEAND. ix. 155.

[5] See the arguments in Disputatio Constantiae. LABBÉ, xvi. 1270.

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best to prevent action, by dividing their opponents, and pressed for a speedy election. The French nation first passed over to the side of the Italians, and joined in urging the election of a new Pope. Was it from jealousy of England, with which she was then at war, and whose pretensions to be counted as a fourth nation she had warmly disputed? Next the English nation followed the example of France, but not till after the death of Robert Hallam, Bishop of Salisbury, a prelate most zealous for reform, who had hitherto sustained among his countrymen their flagging zeal for improvement. The Germans were now left alone;[1] but not without a protest would those champions of the reformation give way. That protest[2] dwelt on the degradation of the Church

[1] See the protestatio trium nationum, viz. Italy, France, and Spain against Germany. LABBÉ, xvi. 691, at Sessio xxxviii. July 28, 1417.

[2] The protestatio nationis Germaniae was handed in at the same session of the council. After speaking of the better ages of the Church, it continues, LABBÉ, xvi. 696: 'Sed, ut dolentissime 'refertur de post a centum quinquaginta fere annis citra, nonnulli 'summi pontifices, eorumque assessores, cum sua curia Romana, 'carnalitati dediti, inebriati deliciis, et sic ad deteriora prolapsi '. . . caelestia deferentes, et . . . ad ea quae quaestus et lucri 'pecuniarum venativa fuerunt, intendentes, aliarum ecclesiarum 'jura . . . invaserunt; nunc generales, nunc speciales, aut aliis 'modis excogitatas reservationes ecclesiarum . . . in eversionem 'electionum . . . faciendo: commendis in suppressionem divini 'cultus . . . concedendo: collationes omnium beneficiorum . . . 'per nimiam multiplicationem gratiarum exspectativarum . . . 'sibi et suae curiae totaliter usurpando: annates . . . inhumani-'ter extorquendo: spolia mortuorum . . . auferendo: omnia sibi 'judicia in quibuscumque causis . . . indifferenter attrahendo: 'lites . . . protrahendo: in foroque poenitentiali . . . abusiones 'manifeste nefandas committendo: indulgentias inconsuetas pro

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during the last hundred and fifty years. It told how the Popes had been devoted to the fleshly life and immersed in worldly pleasure; how all laws had been spurned by papal reservations; how heresy and simony had spread far and wide, because of crying unreformed abuses; how the study of science had declined, churches and monasteries had fallen to decay, their property had been squandered in riotous living; how high place was given to the rich, the vicious, the ignorant, in utter contempt of the devout and learned; how the sale of indulgences had fostered the anti-Christian notion that the pardon of sins could be sold; how the hopes of Christendom, raised by the Council of Pisa, had been disappointed. It demanded that the Pope should be a pure and holy man, elected by pure and holy men; and it ended by expressing a fear lest the holiest man,

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'pecuniis largiendo : clericos vagos et profugos indifferenter pro 'pecunia ad sacros ordines admittendo : et demum tantum aurum 'congregando, ut quidam ex eis suos parentes, fratres, sorores, et 'consanguineos ditando, etiam usque ad fastigia principatuum 'terrenorum eos contenderunt exaltare. Ex quibus, et specialiter 'propter non continuationem sacrorum conciliorum reformativorum '. . . avaritia . . . ambitio . . . haeresis et simonia, et pericu-'losissima schismata . . . fastusque et pompae surrexerunt et 'creverunt in clero. Ita ut ex his studia literatorum et literatos 'defecisse, ecclesiarum, monasteriorum . . . aedificia . . . cor-'ruisse; . . . solos pecuniosos, nummularios . . . leves et vaga-'bundos, ignaros, vitiosos . . . spretis viris . . . literatis, devotis 'et sanctis . . . promotos. . . . Idcirco natio praedicta . . . desi-'derat omnes praedictas deformitates . . . auferri ac tolli, . . . 'adjiciens, fore salubrius et tolerabilius, sacro praesidente concilio, 'Romanam pro certo tempore vacare ecclesiam, quam quod illo-'tis manibus . . . compaginetur ipsum caput . . . et spurcitia 'manuum coinquinetur.'

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sitting in the midst of the prevailing abuses, should become himself defiled by contact with them. But the protest fell on deaf ears. The resolution was formed to elect a new Pope. Still, before the resolve was carried out, one decree was passed, intended to be a permanent hindrance to the Pope's ever again claiming ecclesiastical supremacy. It was to the effect that a general council should be again held in five years, another in seven, and subsequently a similar representation of the Church every ten years.[1]

C. *Papacy of Martin V.*

A.D. 1417–1431

(1) *Circumstances attending his election.*

In the sermon which the Bishop of Laon addressed to the electors, before they proceeded to their task, the requisite qualifications for the new Pope were set forth with remarkable plainness.[2] He must be prudent, teachable, temperate in all things, sober in life, distrustful of his own talents, humble, kind, pious, just, merciful, well instructed in the law of God, able in expounding Scripture, well versed in the doctrines of religion. He must be selected for his purity and sanctity, for his wisdom and love of truth, for his honesty and experience, since he would be called to be the head of the faithful, the charioteer of the Church, the president of princes, the priest of the Most High, the father of Pontiffs, the bulwark of the faith, the prince of the apostles. But it was no easy task to find such a person. Several precautions had to be first taken; the electoral body itself had to be reformed. Differences of opinion prevailed as to what should be done; and hence many difficulties intervened. By the intervention of the venerable Bishop

[1] Sessio xxxix. October 9, 1417, LABBÉ, xvi. 700.

[2] See the sermon, LABBÉ, xvi. 1384.

of Winchester, uncle to the king of England, the points were settled, after much dispute, which the future Pope should be bound to consider. They referred to the number, the quality, and the nation of the cardinals; to reservations by the Apostolical See; to first-fruits; to the collation to benefices in expectancy; to the confirmation of ecclesiastical elections; to the cases properly in the cognisance of the Roman court; to appeals to Rome; to the duties of the Roman Chancery; to exemptions granted during the Schism; to holdings *in commendam*; to profits during a vacancy; to alienations of the property of the Roman Church; to the Pope's liability to be deposed; to simony; to dispensations; to provisions; to indulgences; to tenths. All these subjects were to be referred to select committees for consideration.[1]

Another difficulty was connected with the reformation of the electoral college. But this difficulty was also overcome by means of a compromise; and it was agreed that six from each nation, together with the cardinals, should form the electing body, and that two-thirds of their votes should be necessary to constitute a lawful Pope.[2] The Germans magnani-

[1] Sessio xl. October 30, 1417, LABBÉ, xvi. 706: 'Sacrosancta 'generalis Synodus Constantiensis in Spiritu sancto legitime con- 'gregata, universalem ecclesiam repraesentans, statuit et decernit, 'quod futurus Romanus pontifex per Dei gratiam de proximo 'assumendus, cum hoc sancto Concilio, vel deputatis per singulas 'nationes debeat reformare ecclesiam in capite et in membris, et 'curiam Romanam, secundum aequitatem et bonum regimen 'ecclesiae, antequam hoc concilium dissolvatur super materiis arti- 'culorum . . . quae sequuntur.' Then follow the eighteen points named in the text.

[2] See the enactment on the subject at Sessio xl. on October 30,

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mously set the example of sacrificing their nationality for the good of the Church. They prevailed on the English to do so also. The French and Spaniards were refractory at first, but finally all united, on November 11, in electing the Italian, Odo de Colonna. He assumed the title of Martin V.[1]

(2) *Policy of Martin V.*

(*a*) *Concordats.*

No sooner was Martin's election secure, than the policy of John XXII. seemed to revive anew. Instead of promoting the reformation of the Church, Martin's chief object seemed to be to get rid of the council. Nor was it difficult to obtain this end if advantage were taken of the rivalry and jealousy existing between the different nations. Aware of that rivalry, the Pope dexterously employed it for his own purposes. Taking each nation by itself, he concluded a series of agreements, or concordats, which left him in possession of greater advantages than the Pope before possessed by right.[2] France alone, dissatisfied with the failure of her exertions during the Schism, rejected the constitutions offered by Martin V.,[3] and, in consequence, suffered the

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1417, in LABBÉ, xvi. 707, and a second enactment at the forty-first session, November 8, 1417, *ibid.* p. 711. The former constitution of Clement VI. on the same subject is repeated, *ibid.* p. 710.

[1] The election in LABBÉ, xvi. 715.

[2] Approved of at the Sessio forty-third, March 21, 1418. LABBÉ, xvi. 718. The concordat with England, *ibid.* p. 739, quoted in Appendix III.

[3] Copia Constitutionum in Concilio generali Constantiensi fac-
'tarum, quae fuerunt praesentatae in curia Parlamenti regii Pari-
'siensis . . . an. 1418 die x mensis Junii; sed non acceptatae
'per eandem curiam. LABBÉ, xvi. 729. They are '(1) de nu-
'mero et qualitate dominorum Cardinalium; (2) de provisione
'ecclesiarum, monasteriorum, et reservationibus sedis Apostolicae,

papal exactions for several years. Germany accepted the concordat,[1] but soon changed it for another one.

*(b) Conduct in the last sessions.*

The last sessions of the council were memorable as showing how unwilling the new Pope was to acquiesce in the loss of power. The envoys of the Poles and Lithuanians appealed to him with some grievance in their controversy with John of Falkenberg, and failing to obtain justice, they appealed from the Pontiff to the next general council.[2] But they were silenced by the Pope on pain of excommunication; and Martin V. put forth a constitution on March 10, directly contradicting the rule laid down by the assembled Fathers, and forbidding any one to dispute the decisions of a Pope in matters of faith, or to appeal from himself to a general council.[3] On April 22, the council was dissolved.[4] So soon did Martin forget that to a reforming council he

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'ac collationibus beneficiorum, et gratiis exspectativis, necnon de 'confirmatione electionum; (3) de Annatis; (4) de causis in Ro- 'mana curia tractanda vel non; (5) de commendis; (6) de In- 'dulgentiis; (7) de Dispensationibus.'

[1] LABBÉ, xvi. 735. Articles 1–5 refer to the same points as in the constitutions proffered to the French Church; (6) de Simonia 'in foro conscientiae providetur ut sequitur; (7) de non vitandis 'excommunicatis, antequam per judicem fuerint declarati et de- 'nunciati; (8) de Dispensationibus; (9) de Provisione Papae et 'Cardinalium; (10) de Indulgentiis; (11) de horum concorda- 'torum, Papae Martini V. et nationis Germanicae, valore.' The last article decrees that the concordat shall only be in force for five years.

[2] The Protestatio in LABBÉ, xvi. 750.

[3] NEAND. ix. 172. See the authorities quoted by GIES. vol. iv. sec. 131, p. 306 (note).

[4] Sessio xlv. et ultima, April 22, 1418, in LABBÉ, xvi. 745.

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owed his own elevation; nor did he bethink him that if the Pope would not work with the reforming movement, the reforming movement might dispense with the Pope altogether.

A.D. 1418–1431 (3) *Policy after the Council.*

In the interval which transpired between the close of the Council of Constance [1] and the opening of the Council of Basle few events of importance took place; but an observer of the course of history may see several indications of a coming catastrophe. It was clear that the new Pope would not submit to lose his ecclesiastical supremacy without making some attempts to recover it; and if open measures were dangerous, dexterous management might accomplish much. Hence the decisions of the Council of Constance were followed to the letter; and after the destined five years had elapsed, a new council

1423 met at Pavia in the year 1423. Almost immediately, owing to the spread of the pestilence, called the

1423 Black Death, it was removed to Siena.[2] But with this literal fulfilment of the decree of a preceding council Martin was satisfied, and the Pope not wishing for action, nothing was done by the council beyond approving the condemnation of Huss, ratifying the acts of the Council of Constance, and making overtures to the Greek Church.[3] Indeed, it is clear that he had given up all desire to promote the cause of reformation, if he ever wished it. He was content to curb the cardinals so far as not to be held in

[1] The life of Martin V. in LABBÉ, xvii. 17.

[2] Decretum de translatione, an. 1423, LABBÉ, xvii. 96. He died February 1431.

[3] LABBÉ, xvii. 97 *seq.*

restraint by them.[1] The old complaints of extortion and venality broke out afresh. Things returned once more to their ancient course; and the Romans, who partook of the gains of the Roman curia, were satisfied that thus it should be.[2]

It appeared, moreover, from the course of events at Pavia and Siena, that a general council was powerless to work, if it were dexterously managed by the Pope. Nothing had come of the late deliberations; and practically the work of Constance was undone. Why, then, should the Pope hesitate to gratify the wishes of Christendom once more by the imposing spectacle of a new council, thus showing an apparent zeal to observe to the letter the decree passed at Constance and re-enacted at Siena? So may have thought Pope Martin V. when he made preparations for a council to be held at Basle, and appointed the cardinal, Juliano Cesarini, to conduct its proceedings.[3] So thought not Eugenius IV.,[4] who succeeded Martin at this most critical moment.

D. *Council of Basle and*

Before the mind of Eugenius IV. rose a vision of the free proceedings at Constance. He dreaded the

[1] RAYNALD, an. 1424, No. 4. In 1429 the deputy of the German Order writes to his Grandmaster (in RAUMER'S *Hist. Taschenbuch für* 1833, p. 73): 'Sie [the Cardinals] dürfen wider den 'Pabst nicht reden, ausser was er gerne hört; denn der Pabst 'hat die Cardinäle alle so unterdrückt, dass sie vor ihm nicht 'anders sprechen, als wie er es gerne will, und werden vor ihm 'redend roth und bleich.'

[2] GIES. vol. iv. sec. 131, p. 310.

[3] LABBÉ, xvii. 225.

[4] Eugenius IV. was Pope from March 1431 to February 1446. His life in LABBÉ, xvii. 195.

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*the events to which it gave rise.*

A.D. 1431–1449

(1) *Preliminaries to the Council.*

recurrence of such scenes in the city of Basle, already infected, it was said, with the Hussite heresy.[1] It was his wish to dissolve the council and to convene another at Bologna, on Italian soil, subject to Italian influences. But already many free-minded ecclesiastics had met at Basle, doctors of the canon law, doctors of civil law, and men from the lower ranks of the clergy. Even Juliano, the presiding legate, opposed the scheme of the Pope, and wrote to him a lengthy remonstrance;[2] and the zeal for reformation which had been left unsatisfied at Constance was kindled to a flame by the Pope's ill-timed attempt at suppression.

(2) *Assertion of independence.* (*a*) *By decrees.*

The new council opened with due solemnity on December 7, 1431;[3] on the 18th the Pope issued the Bull of dissolution.[4] Without regarding the Bull, and imbued with the same spirit of ecclesiastical independence which had marked its predecessors at Pisa and Constance, the council in the first place declined to remove from Basle.[5] It

[1] The letter of the council to the Bohemians on October 15, 1431, in LABBÉ, xvii. 444, and RAYNALD, 1431, No. 24, alarmed Eugenius.

[2] The letter is given in RAYNALD, 1431, No. 22, and in the Fasciculus rer. expetend. et fugiend. ed. London, p. 54 *seq.*, also in GIES. vol. iv. sec. 132, p. 314 (note).

[3] A number of points were there settled as to the object of the council, the order of proceedings, the attendance at the council, and its officials. LABBÉ, xvii. 228 *seq.*

[4] The Litera revocationis publicata Romae, December 18, 1431, LABBÉ, xvii. 733, followed in the beginning of February 1432 by the Bulla Revocationis, *ibid.* p. 730.

[5] The letter quod patres intendunt manere in Basilea, is dated January 21, 1432. LABBÉ, xvii. 446.

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then proceeded to reassert in stronger language than its predecessors had done the dignity and independence of general councils.[1] In the next place, it besought the Pope and the cardinals with all reverence and earnestness to appear within the space of three months, threatening to proceed against them if contumacious.[2] Numerous decrees were passed, asserting for it a supremacy extending even to political concerns. To it belonged the power of electing a sovereign Pontiff, in case of a vacancy; no oaths could be pleaded against its commands; the Pope could not create cardinals whilst it was sitting; and by its commission the government of Avignon and Venaissin was actually entrusted to the Cardinal of St. Eustachi.[3] Foremost among the champions of constitutional principles was Nicholas Krebs, of Cusa, known by the nickname of Cancer Cusanus, who, in a work entitled '*Concordantia Catholica*,' expounded the more liberal views of ecclesiastical government; and whose writings added support to the conduct of the Fathers.

Thus far the ecclesiastical assembly at Basle had asserted its prerogatives in words; it next proceeded to assert its supremacy in act. Eugenius IV. had

*(b) By compelling the Pope's recognition.*

[1] Sessio ii. February 15, 1432, LABBÉ, xvii. 235, decreed, 'quod 'concilium Basileense est legitime inchoatum; quod concilium 'generale est super papam in his quae fidei et schismatis sunt; 'quod inobedientes concilio puniantur; quod personae concilii 'non debeant extra concilium trahi; quod hi qui tenentur inter- 'esse concilio non recedant sine licentia.'

[2] Sessio iii. April 29, 1432. LABBÉ, xvii. 240.

[3] Sessio iv. July 12, 1432. *Ibid.* p. 248.

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not appeared in answer to its citation.[1] but had issued several Bulls, declaring that all which had been done without his consent was null and void.[2] His protest was treated with contempt, and himself and seventeen cardinals were proclaimed in contumacy.[3] Had Eugenius adhered to his first design of ignoring the council, a new schism might have sundered Germany from Italy; for Sigismond was pledged to stand by the council. But Eugenius was weak, whereas the council was firm. Eugenius was pressed by a sedition at Rome, whereas the council would listen to no terms of compromise. Forsaken by a large part of his cardinals, and reduced by the political troubles of Italy, the Pope yielded on all points; he revoked the Bull of dissolution, and declared the Council of Basle a lawful general council from its commencement.[4]

A.D. Sept. 11, 1433

Feb. 13, 1434

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[1] The final citation, July 13, 1433. See note [4] below,

[2] The first beginning *Inscrutabilis divinae providentiae*, bearing date July 29, 1433; the second beginning *In arcano*, bearing date September 13, 1433; the third beginning *Deus novit*, all in LABBÉ, xvii. 293, were repealed in the Bull of Adherence given in on February 13, 1434.

[3] At Sessio vi. September 6, 1432, the promoters of the council accuse Eugenius of contumacy, LABBÉ, xvii. 254. Sessio vii. November 6, 1432, lengthened the time within which the cardinals were required to appear, *ibid.* p. 257. At Sessio viii. December 18, 1432, the council decreed to proceed against Eugenius, *ibid.* p. 257. At Sessio x. February 19, 1433, the Pope was accused of contumacy, *ibid.* p. 264. At Sessio xi. April 27, 1433, he was called upon to appear, *ibid.* p. 267. He was again cited at the twelfth session, July 13, *ibid.* p. 270, and proclaimed in contumacy at the thirteenth session, September 11, 1433, *ibid.* p. 278.

[4] At Sessio xiv. November 8, 1433, the council prescribed a forma adhaesionis, in LABBÉ, xvii. 287. The Pope's adherence

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(3) *Measures of Reform.*

The zeal for reform, which next engrossed the attention of the Fathers of Basle, is evidence of the deep moral earnestness of the western nations—an earnestness which will under no circumstances allow itself to be tampered with, and which was even then ready to sweep away the Papacy itself should it prove a hindrance to improvement. That event actually happened ninety years later, when the Popes, having found themselves unequal to the task of uprooting abuses from the Church, lost the allegiance of Germany. Before, however, that crisis came, Germany had made several ineffectual attempts. As early as the year 1433, at the twelfth session of the council, most of the papal reservations were declared to be abolished, and fees for confirmation to prelacies were done away with.[1] Regular diocesan and provincial councils were prescribed, and it was enacted that they should last at least two or three days, for the purpose of enforcing ecclesiastical decrees, for examining the morals of priests, and for

A.D. July 13, 1433

Nov. 26 1433

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was given in at Sessio xvi. February 13, 1434, *ibid.* p. 292. The Bull beginning, 'Dudum sacrum statis: decernimus et declaramus, praefatum generale Concilium Basileense a tempore praedictae inchoationis suae legitime continuatum fuisse et esse. . . . Quinimmo praefatam dissolutionem irritam et inanem de consilio et assensu simili declarantes, ipsum sacrum generale concilium Basileense pure et simpliciter et cum effectu ac omni devotione et favore prosequimur . . . Praeterea . . . quicquid per nos aut nostro nomine in praejudicium aut derogationem praedicti sacri concilii Basileensis, seu contra ejus auctoritatem, factum et attentatum seu assertum esse, cassamus, revocamus, irritamus, et annullamus. . . .' The three Bulls are then quoted, which are repealed.

[1] Labbé, xvii. 275.

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removing disorders.[1] The concubinage of the clergy was forbidden;[2] their marriage pressed by John of Lubeck, in the emperor's name, not allowed.[3] The precipitate employment of the interdict, frivolous appeals,[4] and the payments of annates were abolished;[5] the omission and hurried saying of prayers,[6] the non-attendance at the canonical hours,[7] the abbreviation of the creed at masses, were reprobated and forbid-

[1] Sessio xv. November 26, 1433. LABBÉ, xvii. 289.

[2] Sessio xx. January 22, 1435. *Ibid.* p. 314.

[3] See MILMAN, vol. viii. book xiii. ch. xii. p. 357 (small edition).

[4] At Sessio xx. January 22, 1435.

[5] At Sessio xxi. June 9, 1435, LABBÉ, xvii. 317.

[6] LABBÉ, xvii. 318, Can. 3: 'Statuit igitur sancta synodus, ut 'in cunctis cathedralibus ac collegiatis ecclesiis, horis debitis, 'signis congrua pulsatione praemissis, laudes divinae per singulas 'horas non cursim ac festinanter, sed ostiatim ac tractim, et cum 'pausa decenti, praesertim in medio cujuslibet versiculi psalmorum, 'debitam faciendo inter solemne ac feriale officium differentiam, 'reverenter ab omnibus persolvantur. Horas canonicas dicturi, 'cum tunica talari ac superpelliceis mundis ultra medias tibias 'longis vel cappis, juxta temporum ac regionum diversitatem, 'ecclesias ingrediantur, non caputia, sed almucias vel birrata 'tenentes in capite. Qui cum in choro fuerint, gravitatem ser-'vent, quam et locus et officium exigunt; non insimul aut cum 'aliis confabulantes seu colloquentes, aut literas seu scripturas 'alias legentes. Et cum psallendi gratia ibidem conveniant, 'juncta ac clausa labia tenere non debent, sed omnes, praesertim 'qui majori funguntur honore, in psalmis, hymnis et canticis Deo 'alacriter modulentur. Cum dicitur *Gloria patri* omnes consur-'gant. Cum nominatur gloriosum illud nomen Jesus . . . omnes 'caput inclinent. Nemo ibidem, dum horae in communi publice 'cantantur, legat vel dicat privatim officium.'

[7] Can. 4, LABBÉ, xvii. 319: 'Qui in matutinis ante finem 'psalmi, *Venite exultemus*, in aliis horis ante finem primi psalmi, 'in missa ante ultimum *Kyrie* eleison, usque in finem divino officio 'non interfuerit . . . pro illa hora absens censeatur.'

den.[1] Then followed regulations relating to the election, the oaths and the office of the Pope; the number and quality of the cardinals; the freedom of elections, together with a new unconditional prohibition of papal reservations.[2] Soon these vigorous measures involved the council in a struggle with the Pope.

*(4) Collision with the Pope.*

*(a) Secret antagonism.*

The supremacy to which the Council of Basle aspired was so far unlike the supremacy which the Councils of Pisa and Constance had claimed for themselves, that the two latter might be considered as extraordinary tribunals, to which common consent had given unusual powers in a great emergency. No such pressing emergency could be pleaded in behalf of the Council of Basle. Indeed the partisans of the Pope might urge that the work of reform could be carried on quite as well by Eugenius IV. as by the Fathers of Basle. And all lovers of abuses, feeling themselves aggrieved by the new reforming decrees, naturally fell back to swell the ranks of the

[1] Can. 5, LABBÉ, xvii. 319, exhorts all beneficed clergy to say prayers, 'non in gutture vel inter dentes, seu deglutiendo aut syncopando dictiones.' Can. 6 forbids walking about during the time of divine service. Can. 7 orders a board to be put up with a list of all the services. Can. 8 is directed against abuses in saying mass. Can. xi. forbids 'turpem etiam illum abusum in quibusdam frequentatum ecclesiis, quo certis anni celebratilibus nonnulli cum mitra, baculo ac vestibus pontificalibus more episcoporum benedicunt, alii ut reges ac duces induti, quod festum Fatuorum vel Innocentium seu Puerorum in quibusdam regionibus nuncupatur, alii larvales et theatrales jocos, alii choreas et tripudia marium ac mulierum facientes homines ad spectacula et cachinnationes movent, alii commessationes et convivia ibidem praeparant.'

[2] At Sessio xxiii. March 25, 1436, LABBÉ, xvii. 323.

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supporters of Eugenius. Driven from Rome, Eugenius resided at Bologna; and although in his distress he had recognised the council, still the council and himself were really antagonistic to each other. Sooner or later this antagonism must appear. It at length broke out when the Pope's hands were sufficiently strengthened by the overtures from the Greek Church for union.[1]

*(b) Open rupture.*

The Pope proposed that the council should be removed to Italy, in order to facilitate the negotiations with the Greeks. The proposal was stoutly resisted in a stormy session at Basle;[2] and the assembled prelates placed the Pope under impeachment.[3] The Pope thereupon issued a bull removing the council from Basle to Ferrara;[4] and, in reply, the synod pronounced upon him sentence of suspension. Matters had come to an open rupture. At Basle the council without a head, as it was now called, continued to hold its sessions. Meantime another assembly was being held, first at Ferrara and afterwards at Florence, under the presidency of Eugenius IV.[5]

A.D. July 31, 1437

Oct. 1, 1437

Jan. 24, 1438

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[1] These overtures occupied the twenty-fourth and twenty-fifth sessions, April 14, 1436, and May 7, 1437. See LABBÉ, xvii. 334 *seq.*

[2] As early as May 5, 1435, the council addressed a letter to Eugenius, denying the need of holding a council at Constantinople. LABBÉ, xvii. 487. On May 11, 1436, the council addressed another letter to Eugenius respecting union with the Greeks. *Ibid.* p. 488.

[3] At Sessio xxvi. July 31, 1437, LABBÉ, xvii. 350.

[4] The Bull dated October 1, 1437, is in LABBÉ, xviii. 874.

[5] The Bull transferring the Council of Ferrara to Florence

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Hitherto the Council of Basle had commanded the sympathies of Europe, nor did it entirely forfeit them after the inauguration of the rival council at Florence. The work of reform was, however, henceforth neglected, and the energies of the synod were exclusively devoted to the controversy with the Pope.[1] From that controversy, indeed, Eugenius came off in the end victorious; but his victory was due quite as much to the violent measures to which the Fathers of Basle resorted, as to the lingering respect still paid to himself as Pope. For the respect which the papal name inspired was not yet gone; it required another seventy years of the most utter corruption at Rome, before Germany could finally tear herself away from an institution which refused to surrender when it had already become an anachronism.

*(c) Success of Council of Basle till the election of Felix V.*

The divided interests of the secular princes involved them in curious inconsistencies in their relations to the council and the Pope. On the one hand, they were desirous to secure for their national churches the reforming decrees of Basle; on the other, they were anxious to prevent a schism or to

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bears date January 10, 1438. It is to be found in LABBÉ, xviii. 1046.

[1] At Sessio xxvii. September 26, 1437, the nomination and creation of cardinals by Eugenius IV. was avoided, LABBÉ, xvii. 353. In Sessio xxviii. October 1, Eugenius was declared contumacious, *ibid.* p. 359. In Sessio xxix. October 12, 1437, the Pope's Bull transferring the council was cancelled, *ibid.* p. 363. On October 19, 1437, the synod replied to the Pope's invective against itself, *ibid.* p. 494. At Sessio xxxi. January 24, 1438, a decree was passed suspending the Pope, *ibid.* p. 376.

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break altogether with the Pope. With some modifications, but as a whole intact, the reformatory decrees of Basle were adopted for the French Church by Charles VII. in the celebrated Pragmatic Sanction of Bourges,[1] and that, although Charles was dissatisfied with the decrees of Basle against the Pope. By so doing the French king gave his indirect sanction to the council, whilst he openly disowned the Synod of Ferrara. At the same time he professed allegiance to the Pope, who presided over it. Nor was the case of Germany different, where, by a deed of acceptance drawn up at Mainz in the name of the emperor and the Empire, the advantage of the decrees of Basle was secured to the German Church. Thereby the authority of the council was acknowledged in Germany. Yet only a year before the German Church had been declared neutral; that step having been taken, partly, no doubt, to assert its independence, and partly in the hope of avoiding a schism.[2] But that hope was destined to be blighted. Carried away by the approbation which their decrees had met with, the Fathers of Basle, after a few more decrees on discipline,[3]

A.D. July 7, 1438

March 25, 1439

March 17, 1438

[1] See the thirty-eight articles in Concil. Bituricense, July 7, 1438, LABBÉ, xvii. 1366, xviii. 1396.

[2] For this paragraph see GIES. vol. iv. sec. 132, p. 333, and the authorities there quoted.

[3] At the thirty-first session, January 24, 1438, decrees were passed on suits, on collation to benefices, and on the qualifications and order which ecclesiastical patrons are bound to consider in their presentees, LABBÉ, xvii. 370. The last-named decree binds the collators to canonries to present to one canonry in every three a Master of Arts or Bachelor of Theology who has studied for ten years at some privileged university, who shall be compelled

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left the business of reform to take care of itself, and renewed their attacks on Eugenius. Many of the better-minded ecclesiastics had now left the council, and those who remained were more zealous than discreet. Every approach to concession was refused; sentence of suspension was first pronounced on the Pope,[1] then sentence of deposition;[2] and soon afterwards the council proceeded to elect by commission[3] a Pope or antipope in the place of Eugenius IV. Amadeus, Duke of Savoy, was chosen, and took the name of Felix V.[4]

*(d) Success of Eugenius.*

This rash proceeding, which after the difficulties of one schism introduced another, turned the tide of events. The storm of ecclesiastical opposition which had come down on the tree of the Papacy, had beaten too violently, and stripped it of too much foliage; it now whistled harmlessly through the branches; and the tree began to put out into new

to reside and to lecture, and who for the purpose of devoting himself to study shall be excused attendance at divine service. The next two in every three, whether canonries or prebends, are to be bestowed upon otherwise suitable graduates, viz., upon Masters of Arts or Bachelors in Theology who have studied for ten years at some privileged university, or upon Doctors or Bachelors of Laws or Medicine, who have studied seven years in their respective faculties. All pluralities are forbidden. To parish churches persons qualified as above are to be presented, or such as have at least for three years studied either theology, law, or arts in some privileged university.

[1] At Sessio xxxi. January 24, 1438, LABBÉ, xvii. 376.

[2] At Sessio xxxiv. June 25, 1439, *ibid.* p. 390.

[3] The commission consisting of the cardinals and thirty-two others was appointed October 30, 1439, *ibid.* p. 406.

[4] The election was ratified at Sessio xxxix. November 17, 1439, LABBÉ, xvii. 409.

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life. It would have been easier for Eugenius to recover past losses, if he had not resolved at the same time to attack the reformatory decrees of Basle. As it was, he found the business of attacking these more difficult than he anticipated.

The greatest rebuff which the council experienced arose from the defalcations of many of its members, who could not approve of the renewal of a schism. Felix V. was recognised in a few countries only; and the Synod of Basle began to lose in weight and consequence. From May 16, 1442,[1] when it held its last session, until it was removed by Felix V. to Lausanne in 1448, the synod existed only in name.

Hoping to use a weapon against the council, which the Church, during the great Schism, had tried to employ against the Popes, Eugenius IV. looked about for support from the secular power. From France he could gain little assistance. There Charles VII. persisted in adhering to the Pragmatic Sanction of Bourges, thus recognising at once the authority of the council and the authority of the Pope. But in Germany he was more successful. Taking advantage of the divided state of the country, and of the weak-

A.D. 1444

ness of the new emperor, Frederic III., he tried, notwithstanding the declared neutrality of the German Church, to attach the Duke of Cleves to himself by exempting all the churches and monasteries in his dominions from the jurisdiction of the Archbishop of Cologne and the Bishop of Munster, and allowing the Duke to appoint a titular bishop in

[1] LABBÉ, xvii. 431.

their place. This act was at the same time intended to punish these prelates for supporting the council. But when, over-estimating his power, he ventured, in the following year, for the same cause, to pronounce sentence of deposition on the Archbishops of Trier and Cologne—two princes of the Empire—the electoral princes met in indignation at Frankfurt, and united in making some decisive demands upon the Pope.[1] He was required to allow the decrees of Constance and Basle respecting the powers of general councils; to name one of five German cities in which a new general council should meet in May of the following year; to issue Bulls embodying the decrees of the Synod of Basle, and to abrogate all novelties introduced during the period of neutrality.

A.D. March 21, 1446

At this juncture the emperor came to the rescue of Eugenius. Suspicious of the alliance of the princes, he contrived, by the aid of his cunning secretary, Aeneas Sylvius, to induce the electors to moderate their demands;[2] and an embassy was dispatched to Rome to tender the obedience of Germany, on condition that these moderated demands were granted.[3] To satisfy the Germans, Eugenius yielded to his better disposed cardinals, and issued

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[1] The acts of this league are quoted in abstract by GIES. vol. iv. sec. 132, p. 338.

[2] At the diet, September 1446, AENEAE SYLVII *Hist. Frederici III. Imp.* says, p. 125: 'Omnis Caesaris cura in eam diaetam 'collata erat. Nam sex Electores obligati simul adversus Euge- 'nium videbantur Caesarem spernere, itaque summum Caesari 'studium erat, foedus Electorum solvere, et aliquem ad se trahere, 'ut Eugenio et sibi consuleret.'

[3] See GIES. vol. iv. sec. 132, p. 341.

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four Bulls, promising to convene another council, to recognise the decrees of the Council of Constance, to re-instate the Archbishops of Trier and Cologne, and to ratify the decrees of Basle passed subsequently to his transfer of the Council of Ferrara, but not without reserving in a fifth Bull perfect freedom of action to himself and his successors.[1] On his death-bed he received the allegiance of the German ambassadors, and the neutrality of that country was at an end.

A.D. Feb. 7, 1447

The curtain falls over the general councils of the fifteenth century with the acknowledgment of Eugenius IV. in Germany. Nevertheless, the Synods of Pisa, and Constance, and Basle had not been held in vain. The Pope's authority was, it is true, still generally acknowledged, but that authority was no longer what it had been. Bereft of political supremacy, bereft even of ecclesiastical supremacy, his freedom of action controlled by the decisions of a council antagonistic to himself, the Bishop of Rome had gone back to the position once held by his predecessors—the honourable position of Patriarch of the West. But an office once commanding the greatest respect when adorned by the virtues of its occupants, no longer satisfied the ambition of those who now held it. They failed to see that the day of their dominion was over, and that Rome's pretensions to power in the West must fall before the rising Germanic spirit, as, even at that moment, the Eastern metropolis was

[1] The substance of these Bulls is given by GIES. vol. iv. sec. 132, p. 343.

falling before the Turks. Still greedy for power, they lost what they possessed. Claiming the Papacy, they lost the Patriarchate. Pushing their pretensions too high, they found them denied altogether. Yet the result did not take place immediately, nor until by their vices they had forfeited their moral weight also. When, at length, the flood-gates of reaction were opened in the sixteenth century, and the long pent-up waters of indignation gushed forth, they swept away not only the exorbitant claims of the Papacy, but also its jurisdiction in the Patriarchate of the West. They deprived the Popes not only of their usurped power, but also of what was justly theirs; but, by so doing, caused a retrograde sentiment in favour of the Papacy, which has been gradually, but steadily, gaining ground, and which has led in modern times to the extensive development of Ultramontanism.

# APPENDIX III.

THE CONCORDAT CONCLUDED BETWEEN POPE MARTIN V. AND THE ENGLISH NATION AT THE XLIII. SESSION, MARCH 21, 1418, OF THE COUNCIL OF CONSTANCE.[1]

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*Universis et singulis Joannes miseratione divina episcopus Ostiensis, S. R. E. cardinalis et vicecancellarius, salutem in Domino. . . . . Cum itaque nuper inter sanctissimum in Christo patrem et dominum nostrum, dominum Martinum divina Providentia Papam V. et reverendos patres . . . venerabilem nationem Anglicanam in generali Concilio Constantiensi repraesentantes . . . nonnulla capitula concordata, et ab utraque parte sponte suscepta; necnon . . . ad futuram rei certitudinem . . . primo conscripta fuerunt; ac demum . . . lecta et publicata: nos igitur, ad venerabilis viri Roberti de Nevilli, Canonici ecclesiae Eboracensis, parochiales ecclesiae de Spoffoord Rectoris, instantiam, capitula hujusmodi, sicut praefertur, concordata et sponte suscepta, ex integro . . . fideliter transcribi, et praesentibus annotari fecimus, quorum tenor sequitur in hunc modum:*

## I.—De Numero et Natione Cardinalium.

In primis quod numerus cardinalium S. R. E. adeo sit moderatus quod non sit gravis ecclesiae, nec nimia numerositate vilescat. Qui indifferenter de omnibus regnis et provinciis totius Christianitatis, et cum consensu et assensu collegii dominorum cardinalium, vel majoris partis eorum, eligantur et assumantur.

## II.—De Indulgentiis.

Item, quod cum occasione diversarum indulgentium, ac litterarum facultatum a sede Apostolica concessarum, ad absolvendum quoscumque visitantes, sive offerentes in certis locis, et quaestu-

[1] Ex. MS. Cantabrigiensi quoted by Labbé, xvi. p. 739.

rarum quamplurimarum, quae in Anglia plus solito nunc abundant : nonnulli peccandi audaciam frequenter assumant, ac contemptis suis propriis curatis, et ecclesiis suis parochialibus dimissis, ad ipsa loca spe indulgentiarum et confessionum accedunt, decimas, oblationes, et debita dictarum ecclesiarum parochialium subtrahunt, seu solvere differunt minus juste : committatur dioecesanis locorum ad inquirendum super qualitate earum, cum potestate suspendendi omnino auctoritate Apostolica illas, quas invenerint scandalosas, et illas denunciandi Papae, ut illas revocet, etc.

### III.—De Appropriationibus, Unionibus, Incorporationibus, Ecclesiarum, et Vicariatuum.

Item, de cetero nullae fiant appropriationes ecclesiarum parochialium motu proprio : sed committatur episcopis locorum ad inquirendum de veritate suggestionum. Et in eventum, quo per debitam et juridicam notionem constare poterit quod causae appropriationum desint, legitime procedatur ad appropriationem, prout fuerit juris illarum ordinariorum. Quae jam sunt fortitae effectum, nulla fiat, si ex revocatione sequi possit scandalum. Alias vero committatur, quod inquirant etc. . . . Et quas invenerint fieri merito non debuisse, vocatis tunc ad hoc vocandis, cassent etc. . . .

Item, omnes uniones, incorporationes, approbationes, et consolidationes vicariatuum perpetuarum in ecclesiis parochialibus, ex quibuscumque causis factae a tempore schismatis, indistincte revocentur ; et vicarii perpetui in iisdem per ordinarios locorum hac vice ordinentur et instituantur. Ac in singulis ecclesiis parochialibus sit unus vicarius perpetuus, qui curae insistat animarum, bene et competenter dotatus, pro hospitalitate ibidem tenenda, et omnibus debitis supportandis : litteris Apostolicis et ordinariorum compositionibus, statutis, et consuetudinibus, ac aliis in contrarium factis, non obstantibus quibuscumque.

### IV.—De Ornatu Pontificali Inferioribus Praelatis non concedendo.

Item, omnia privilegia, citra obitum felicis recordationis Gregorii Papae XI. concessa praelatis inferioribus, de utendo Pontificalibus, scilicet mitris, sandaliis, et hujusmodi ad dignitatem Pontificalem pertinentibus, revocentur. Quae vero ante obitum ipsius Gregorii concessa fuerint, in suo robore permaneant et effectu.

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### V.—De Dispensationibus.

Item, licet pluralitas beneficiorum canonibus exosa exsistat, aut super ea dispensationes jure hoc dictante fieri non debeant, nisi personis nobilibus et viris eximiae liberalitatis : nunc tamen in curiis dominorum tam spiritualium quam temporalium tales dispensationes irrepserunt : praemissa, seu eis consimilia de cetero non fiant, sed in praemissis servetur concilium generale. Illae tamen quae sunt sortitae effectum, in suo robore permaneant : nisi forte aliquae fuerint et sint scandalosae. De quibus fieri mandamus concessionem locorum ordinariis : et ordinarii certificent, et revocentur scandalosae.

Item, quia modernis temporibus plus solito cum diversis personis, infra regnum et dominia praedicta, beneficia curata obtinentibus, per sedem Apostolicam contra jura communia dispensatum exsistit, ut per tres, quatuor, quinque, sex, et septem annos vel ultra, aut in perpetuum beneficiati praedicti ipsa beneficia possidere et occupare valeant, sic ut ad ordines debitos interim ordinari minime teneantur, in grave scandalum ecclesiae, etc. Omnes dispensationes hujusmodi indistincte revocentur. Et beneficiati hujusmodi ordinationi juris communis in hac parte omnino subdantur. Si tamen beneficiati praedicti sint alias habiles ad hujusmodi ordines suscipiendos.

Item, quia propter dispensationes Sedis Apostolicae, nonnullis personis infra regnum et dominia praedicta, super non residentia, necnon archidiaconis ad visitandum per procuratores, factas, non solum animarum cura negligitur, sed etiam potestas episcopalis per impetrantes dispensationes hujusmodi contemnitur : nullae dispensationes deinceps fiant absque causa rationabili et legitima, in litteris dispensationum hujusmodi exprimenda. Concessae autem absque causa rationabili sive legitima, revocentur : de quibus fiat commissio ordinariis.

Item, omnes litterae facultatum concessae religiosis quibuscumque, infra regnum et dominia praedicta, de obtinendo beneficia ecclesiastica, curata vel non curata, quae non sunt sortitae effectum, indistincte revocentur. Abstineatur de cetero ab hujusmodi litteris facultatum concedendis.

### VI.—De Anglis ad Officia Romanae Curiae assumendis.

Item, quod aliqui etiam de natione Anglicana, dummodo tamen sint idonei, ad singula officia curiae Romanae assumantur una cum aliis de ceteris nationibus indifferenter, etc.

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Item, quod super omnibus et singulis praemissis dominus noster summus Pontifex mandet et fieri faciat praedictae nationi Anglicanae unam, vel plures, ac tot quot fuerint requisitae, litteras suas bullatas, in bona forma et gratis de mandato, ad perpetuam rei memoriam.

Haec itaque universitati vestrae tenore praesentium firmiter attestantes, easdem nostras litteras praesentes, in horum fidem et testimonium, praefato Roberto Nevilli concessimus, nostri sigilli munimine roboratas. Datum Gebennis, in domo habitationis nostrae, sub anno a Nativitate Domini MCCCCXVIII indictione xi die vero xxi mensis Julii, pontificantis domini nostrae Papae anno primo.

# CHAPTER XVI.

## *LAST YEARS OF THE MEDIAEVAL PAPACY.*

(1445—1515.)

*Ecce relinquetur vobis domus vestra deserta.*—Luc. xiii. 35.

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THE old mediaeval Papacy holding a position of acknowledged supremacy as the head of Western Christendom to which homage was universally paid, was now fast passing away, and making room for the modern Papacy, an institution historically, indeed, connected with its predecessor, but yet of a very different character, being a headship of only one portion of Christendom, and depending for its authority on a voluntary recognition of its claims. Yet before it had become a thing of the past, it was once more lighted up by a bright gleam flashing across its heaven, and shedding on it a ray of glory, bright but passing, and contrasting strangely with the utter darkness which set in immediately afterwards. That bright gleam was none other than the administration of Aeneas Sylvius.

A. *Administration of Aeneas Sylvius.*

Already distinguished at Basle for his aptitude for business, the champion of the council against Eugenius IV., the secretary of the antipope, then of the emperor; anon at the feet of Eugenius suing for pardon, afterwards appointed secretary to his

successor, Nicolas V.; cautious, enterprising, ambitious, for a long time the secret dictator of a policy, at length himself wearing the tiara; Aeneas Sylvius passed through a career in many respects not unlike that of Gregory VII., but as different in its moral grandeur as was the age in which he lived from the Hildebrandian era of reform. Perhaps, too, under his predecessors, Nicolas V. and Calixtus III., Aeneas Sylvius hardly occupied so prominent a place as Hildebrand had held under Nicolas II. and Alexander II. For Nicolas V.[1] was for his time undoubtedly an able man, and his aspirations were high. Anxious though he was to put an end to the council of Basle and to recover the lost power of the Papacy, he combined with his zeal a Christian discretion, and knew how to win the support of the secular power as well as how to conciliate the clergy. In his pontificate, the first step towards undoing the work of Basle was taken under the auspices of Aeneas. It consisted in negotiating an agreement, known as the Concordat of Aschaffenburg, between the Pope and the emperor, Frederic III. By the terms of that concordat,[2] itself the work of Aeneas, who, since his repentance, was as much opposed to the interests of Germany as he had formerly been in their favour at Basle, the articles of the agreement concluded with the Germans at Constance, so disadvantageous to their interests, were revived. The Pope retained his annates, or rather a sort of tax as an equivalent in

(1) *Nicolas V.* A.D. 1447–1455

(*a*) *Work of Basle undone.*

(*a*) *Concordat of Aschaffenburg.* Feb. 17, 1448

[1] Nicolas V. succeeded Eugenius IV. as Pope in March 1447, and died March 1455. His life, LABBÉ, xix. 45.

[2] See its history in KOCH, *Sanctio Pragm.* p. 36.

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their place, and, instead of the alternate right of presentation to the smaller benefices, he received the right of collation during every alternate month in the year. Episcopal elections were freely restored to the chapters, except in cases of translation, or in case a person canonically unfit were presented for confirmation, in which case the Pope still continued to nominate. Thus by the weakness of Frederic III., and the defection of Aeneas Sylvius, the compact accepted at Mainz [1] was overthrown, and a severe blow was dealt at the authority of the Council of Basle in Germany.

*(β) Dissolution of Council of Basle.*

It had required some dexterous management on the part of Nicolas V. and Aeneas Sylvius, to negotiate the Concordat of Aschaffenburg. The more powerful German nobles needed to be conciliated by concessions,[2] the less powerful by the influence of fear. By displaying the same dexterity and by the exercise of forbearance, Aeneas succeeded next in bringing the Council of Basle to a close, and in gaining the resignation of the antipope, Felix V. The Fathers of that synod, by three imperial mandates banished to Lausanne,[3] appeared to submit to the friendly urgency of the Kings of England and of

A.D. 1449

France. Felix V. resigned his office, and the council was dissolved; yet not without honour and more substantial rewards. The cardinalate next in honour to the Pope was conferred on Felix; three of his car-

[1] LABBÉ, xviii. 1400, an. 1441.

[2] See the authorities quoted in GIES. vol. iv. sec. 133, p. 346.

[3] GIES. vol. iv. sec. 133, p. 347. Two decrees of the synod, an. 1449, in LABBÉ, xix. 60.

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dinals were allowed to retain their dignity; all the papal censures against him and his adherents at Basle were annulled;[1] the promotions and appointments of the synods were confirmed.[2] Success had crowned the efforts of Aeneas, but this success was the triumph of policy, the ignoring of principle.

*(b) Last revival of Holy Empire.*

Having carried out his first scheme, Aeneas meditated higher things. The past glories of the Holy Empire rose before him. Why should not the Pope and the emperor as of old be once more the temporal and spiritual heads of Christendom, the temporal head being as aforetime subject to the spiritual head? The weak emperor, Frederic III., was only too ready to join in the project. Jealous of the power of the electoral princes, and weakened himself by the loss of his feudal privileges, this emperor hailed with delight the prospect of once more regaining his ascendency by the help of the Pope. The coronation at Rome had not lost the spell of its influence, although it had been for some time in abeyance, and the support of Nicolas might do much towards strengthening the emperor's hands. Frederic III. fell into the snare laid for him by Aeneas, and abased himself before the court of Rome. His marriage with his Portuguese bride was celebrated with great pomp by Nicolas himself on March 18, 1452, and afterwards his coronation with still greater magnificence. For the last time

A.D. March 18, 1452

[1] See the letter of Nicolas V., LABBÉ, xix. 49.

[2] See the avisamenta, LABBÉ, xviii. 52, and the letters of Felix V. *ibid.* p. 69. The Bull of Nicholas V. is dated May 19, 1449, *ibid.* p. 73.

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in the Middle Ages, and indeed in history, Pope and emperor met for a solemn ceremony in the eternal city—the emperor to be crowned King of the Romans, the Pope to receive the final act of majesty from the Roman king. For the last time the dome of St. Peter's resounded with shouts of triumph, welcoming the Emperor of the West. For the last time the Holy Empire was seen to revive. It was as it were the final gasp for life of a dying institution. In the next year the news of the capture of Constantinople and the fall of the Eastern Empire sounded across Europe, foretelling the approaching end of its Western rival.

(2) *Crusades against the Turks.* A.D. 1453

Few persons can now realise to themselves the shock felt throughout the West, when the news was brought by Greek refugees to Europe, that Constantinople had fallen before the arms of Mahomet II. The great bulk of men were simply appalled at an event which had come upon them so suddenly and unexpectedly. They were horrified that the Crescent should wave where once the Cross had stood. They were in a sense stunned. But they were at first far from appreciating the full extent of the danger which threatened themselves. It was in truth a danger similar to that which had been several times impending during the Middle Ages—the danger of a return to barbarism through the conquest of some wild Oriental horde. It was not this time a danger arising from Magyars, such as those who had been defeated at Merseburg and Lechfeld;[1]

[1] In the battle of Merseburg, an. 933, the Magyars were defeated by Henry I.; in the battle on the Lechfeld, 955, by Otto I.

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nor was it a danger caused by Mongols, like those who remained on the plain of Liegnitz.[1] It was a danger coming from other races—from the followers of the false prophet—who had once before entered Europe from the south,[2] and been repelled by the arms of Charles Martel, and who now assailed it from the east; threatening to make it a dependency of an Oriental tyrant, threatening to substitute the religion of Mahomet for the religion of Christ.

*(a) Crusade preached by Nicolas V.*

Probably no two persons were more keenly alive to the impending danger, than were Pope Nicolas V. and Aeneas Sylvius, now Bishop of Siena. The death of Nicolas, it was said, was hastened by the sad news. Henceforth it became the one great aim in life of the Bishop of Siena to stir up a crusade against the Turks. Already within a few months after the capture of Constantinople, Nicolas had issued a summons to the princes of Christendom, adjuring them by their baptismal profession, and the oath taken at their coronation, to come forward with their goods and their persons for the defence of the Christian faith, and granting a tithe of Church revenue for the support of the crusade.[3] The

A.D. Sept. 30, 1453

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[1] The Mongols were defeated in the battle of Liegnitz, 1241.

[2] The followers of the prophet, under Musa, obtained a footing in Spain, an. 711, by the battle of Xerez de la Frontera. From Spain they penetrated into France, but were defeated by Charles Martel at Tours an. 732.

[3] The Bull, dated September 30, 1453, in RAYNALD, an. 1453, No. 9, runs: 'Inprimis universos Christianos . . . hortamur, re-
'quirimus et mandamus in vim professionis factae in sacri suscep-
'tione baptismatis, ac in vim juramenti praestiti, cum dignitatum
'suarum infulas susceperunt, ut ad defensionem Christianae reli-

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summons fell on deaf ears. Germany was not yet alive to the extent of the danger which threatened. It seemed to be a revival of the old methods of raising money, which had been abolished by the Reforming Councils; and the people, embittered against the Pope and the emperor alike, saw no other agency at work but avarice in these calls to warfare.[1]

*(b) Crusade preached by Calixtus III.*

A.D. 1455

No greater success attended the efforts of Calixtus III.[2] to stir up a crusade. In Germany the only result effected was that the zeal to win back the lost freedom of the Church awoke anew. Neither there nor elsewhere, with the single exception of Aragon and Portugal, was any response made to the summons. The King of Aragon, indeed, took the cross, but carried on a war with the Genoese with the crusading force; and the King of Portugal promised to march against the Turks, but in the end did nothing at all.[3] In France Charles VII., at the same time that he allowed a tenth to be contributed towards the expenses,[4] forbade the public preaching of the crusade, lest his unprotected king-

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'gionis et fidei, cum bonis et personis suis pro sua possibilitate 'verisimiliter et indesinenter assistant, aeterna praemia recepturi 'ab illo, cujus causam egere, et in praesenti vita pariter et in 'futura.'

[1] See GIES. and the authorities there quoted, vol. iv. sec. 133, p. 349.

[2] Calixtus III. succeeded Nicolas V. as Pope, April 1455, and died August 1458. His life in LABBÉ, xix. 157.

[3] GIES. vol. iv. sec. 133, p. 353.

[4] The letter of the Pope thanking him for his permission. LABBÉ, xix. 160.

dom should fall a prey to the English; and the funds collected were insufficient for any decisive enterprise.

(c) *Efforts of Pius II. to get up a Crusade.* A.D. 1458–1464

At length, in the year 1458, Aeneas Sylvius had reached the height of his ambition, and ascended the papal chair under the name of Pius II.[1] His first business was to issue a lengthy Bull, retracting all he had done at Basle against the authority of Eugenius IV.; his next was to redouble his efforts[2] to unite Christendom against the steadily progressing encroachments of the Turks. Following the example of the older Popes, whose institution of military orders had proved so successful in the first ages of the crusades, he proceeded to found new ecclesiastical orders of knighthood, the Order of Hospitallers of St. Mary of Bethlehem,[3] and the society bearing the name of Jesus, for fighting against the infidels.[4] A general assemblage of Christian nobles was convened at Mantua[5] to vie with those of Piacenza and Clermont. 1459

[1] Pius II. became Pope in August 1458, and died August 1464. His life in LABBÉ, xix. 191.

[2] The Bull of Retractationum in LABBÉ, xix. 195.

[3] The Ordo hospitalis b. Mariae Bethlemitanae was founded January 18, 1459. See RAYNALD, an. 1459, No. 2.

[4] Societas sub vocabulo Jesu nuncupata ad Dei honorem et infidelium oppugnationem instituta, October 13, 1459, RAYNALD, 1459, No. 83. This order must not be confounded with the order of Jesuits founded by Ignatius Loyola, 1540.

[5] See the account of the assembly, an. 1459, LABBÉ, xix. 203. The Pope says in his address, *ibid.* p. 208: 'Vos autem, magn-
'animi et generosi proceres, qui adestis, ne claudite, precamur,
'aures, ne divertite mentem; aperite Deo interiora vestra qui
'mox volentibus vobis in animas vestras illabetur, et vos sibi
'templum atque habitaculum faciet. Audite nos sua vice loquen-

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Cardinal Bessarion was dispatched to Germany, there to emulate St. Bernard's preaching. Yet all was in vain. The political fabric of Europe was breaking up; the different parts had not yet settled down into consolidated nations. Hence political complications frustrated every attempt at united action.

*(d) Effort to convert the Sultan.*

But still Pius II. was not to be daunted. If Europe would not defend herself against the foe, might not the foe be won over to the Christian faith? It seemed a forlorn enterprise; still it might be possible. Indeed, was it not the only means left for the preservation of the West? A letter was dispatched to the sultan, Mahomet II., courteous, conciliatory, almost flattering.[1] Nothing it said was wanting to make Mahomet the mightiest sovereign the world had ever seen, nothing but a little water for his baptism and belief in the Gospel: before Mahomet the Christian emperor, the world would bow down. Did a dream of an empire of the world, uniting both East and West once more under a Turkish monarch, flit across the brain of the Pontiff?

If it did, it was soon dissipated. But the far-seeing earnestness of a man who, alive to the perils of the situation, had made it his great object in life to oppose the Turks, and whom the sense of a great danger had recalled from the weakness, the self-

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'tes. Verba nostra, verba Dei sunt, qui filii sui Jesu Christi, 'quamvis indigni, vices gerimus. Ipse nos fari jubet; ipse in ore 'nostro verba posuit; ipse nos bellum suadere in Turcos imperat.' The princes who were present, however, took a different view.

[1] In RAYNALD, 1261, No. 44.

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seeking, the treachery of earlier life to a real state of heroism, could not die. If others would not go forth, Pius II. would. Accordingly, the Pope himself, the cardinals, the bishops prepared for a crusade; whilst, heedless of his touching summons,[1] knights, counts, barons, and dukes remained listlessly at home. None gathered at his bidding but a worthless rabble. Already sickening, he travelled from Rome to Ancona. There he found a mass of discontented soldiers, many of whom, when the Venetian ships were behind their time, and they found the Pope would supply indulgences but not provisions, persisted in returning home. Disappointment preyed on his failing health, and, like his predecessor Gregory VII., Pius died before he could embark, away from his

A.D. Aug. 15, 1464

[1] Issued October 22, 1463, in RAYNALD, 1463, No. 29: 'Et 'quis erit Christianorum tam feri, tam lapidei, tam ferrei pectoris, 'qui audiens, Romanum Pontificem b. Petri successorem, Domini 'nostri Jesu Christi vicarium, aeternae vitae clavigerum, patrem 'ac magistrum universorum fidelium cum sacro senatu Cardina- 'lium Clerique multitudine in bellum pergere pro tuenda religione, 'libens domi remaneat? Et quae poterit excusatio quenquam 'juvare: senex, debilis, aegrotus, in expeditionem pergit, et tu 'juvenis sano ac robusto corpore domi delitesces? Summus 'Sacerdos, Cardinales, Episcopi praelium petunt; et tu Miles, tu 'Baro, tu Comes, tu Marchio, tu Dux, tu Rex, tu Imperator, in 'aedibus propriis otiaberis? Siccine perverti hominum officia 'pateris ut quae sunt Regum Sacerdotes agant, quae Nobilitati 'conveniunt, subire Clerum oporteat? . . . In tanto Christianae 'religionis discrimine, quantum a Turcis impraesentiarum cernitur 'imminere, nulli dubium esse debet, quin Christiani omnes, tam 'Reges et Principes, quam alii potentatus et privati homines ad 'defensionem catholicae fidei et sanctae legis evangelicae juxta 'possibilitatem suam cum bonis et corporibus suis de necessitate 'salutis viriliter assurgere et indesinenter assistere teneantur.'

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cathedral city. Like Gregory VII. he died endeavouring to carry out a great project, to which he had devoted his life, not indeed with the same purity of purpose which had characterised Hildebrand's earlier career, but with more humility, as his dying words addressed to the cardinal who attended him attest: 'My Son, pray for me.'[1]

(3) *Endeavours to advance the papal power.*

But not only in his death does Aeneas Sylvius resemble Gregory VII. He resembles him far more in his life and in his desire to advance the power of his see to the highest possible pitch. There is much, too, in the weakness of the Emperor Frederic III. which resembles the weakness of Henry IV. The circumstances in which they lived have other points of resemblance. The idea of the Holy Empire with its double headship was being advanced in the Hildebrandian era; the same idea was being anew advanced under the rule of Aeneas Sylvius. In the Hildebrandian era, however, the two heads, as supreme powers, came into collision; under Aeneas Sylvius both were so much weakened that they looked to one another for support.

(*a*) *Under Calixtus III.*

Even before his own tenure of office, Aeneas Sylvius had been trying to make actual the extravagant pretensions of his predecessors. Breaches of the Concordat of Aschaffenburg had been committed frequently by Calixtus II., and had been tacitly endured by Frederic III.[2] When complaints on account of these breaches waxed loud, Aeneas

[1] Compare the death of Hildebrand, Chap. VII. p. 212.

[2] See the authorities in GIES. vol. iv. sec. 133, p. 351.

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Sylvius, at the time a cardinal, dictated a letter, which was dispatched to the emperor in the name of Calixtus,[1] declaring that the Apostolical See is desirous of adhering to the terms of the concordat, although it is absolutely free, and can be bound by no ties of contract. But at the same time, the cardinal knew how to attain his object by a milder policy. The chief malcontents were won over by letters;[2] and to serve the same object, a treatise was written by him on the position, the rites, customs, and the condition of Germany.[3]

(*b*) *By Aeneas as Pius II.* A.D. 1458–1464

Bolder steps were taken by Aeneas, when he ruled himself at Rome under the name of Pius II. The heretical tenets of his former life were unreservedly and absolutely condemned,[4] and it was declared at Mantua,[5] that whoever should hereafter appeal from

[1] August 31, 1457, in RAYNALD, 1457, No. 40: 'Sed aiunt 'plerique, concordata, de quibus mentionem supra fecimus, per 'nos minime observari, affirmantes, electiones Episcoporum alio- 'rumque Praelatorum nos parvi pendere, ac prorsus abjicere: 'quod pari modo neque vere, neque juste nobis objicitur. Neque 'enim electiones Praelatorum in Germania factas quovis pacto 'contemnimus, neque ex concordatis omnes passim electiones 'confirmare tenemur, sed illas tantummodo, quae canonicae expe- 'riuntur. . . . Super reservationibus autem caeterisque beneficio- 'rum provisionibus, de quibus similiter accepimus querelas coram 'tua serenitate fuisse propositas, non sumus memores, aliquid a 'nobis esse concessum contra concordata praedicta. . . . Quin- 'immo quamvis liberrima sit Apostolicae sedis auctoritas, nullisque 'debeat pactionum vinculis coërceri; ex mera tamen liberalitate 'nostra, ex zelo quem gerimus ad pacem, ex caritate qua te tuam- 'que nationem prosequimur, concordatis ipsis locum esse volumus.'

[2] See the authorities in GIES. vol. iv. sec. 133, p. 354.

[3] Descriptio de ritu, situ, moribus et conditione Germaniae.

[4] Retractationes, April 26, 1463, in LABBÉ, xix. 195.

[5] Bull of January 23, 1460, quoted by GIES. vol. iv. sec. 133,

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A.D. 1460

the Pope to a general council should be excommunicated *ipso facto*, and not otherwise restored but by the Pontiff himself. The Archduke of Austria, Sigismond, was visited with the ban and interdict

1461

for his violence towards Cardinal Nicholas of Cusa; Diether, Archbishop of Mainz, was deposed in an

1467

arbitrary manner; Charles VII. of France was reproached for his audacious Pragmatic Sanction.[1]

But all these assertions of power were unavailing. They could not procure for Pius II. any real authority, or recover for the Papacy the place which it had lost. On the contrary, the despotic rule of Pius II. only awakened discontent in Germany, where the liberal-minded Aeneas Sylvius was not yet forgotten. The archduke appealed to a general council.[2] Diether received privileges more valuable than those he lost, resigning the duties but retaining a great part of the revenues of his see. Charles VII. appealed to a general council; his successor, Louis XI., when he found that he could get no support from the Pope for the claims of Anjou to Naples, left the Sanction

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p. 360: 'Volentes igitur hoc pestiferum virus a Christi ecclesia 'procul pellere . . . hujusmodi provocationis introductiones dam-'namus, et tanquam erroneas ac detestabiles reprobamus, cas-'santes, et penitus annullantes, si quae hactenus taliter interpositae 'reperiantur . . . praecipientes deinceps, ut nemo audeat . . . 'ab ordinationibus, sententiis sive mandatis quibuscumque nostris 'ac successorum nostrorum talem appellationem interponere. . . . 'Si quis autem contrafecerit a die publicationis praesentium in 'Cancellaria Apostolica post duos menses, cujuscumque status, 'gradus, ordinis vel conditionis fuerit . . . ipso facto sententiam 'execrationis incurrat.'

[1] See the documents in LABBÉ, xix. 230 *seq.*

[2] See the authorities quoted by GIES. vol. iv. sec. 133, p. 363.

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unrepealed; and the star of Pius II. set over the blighted remains of early hopes. The mediaeval Papacy had outlived its day: the world was hastening on to a new phase of existence; not even the talents of Pius II. could avert decay, though they might arrest it for the moment.

B. *The successors of Aeneas Sylvius.*

That decay went on rapidly under the administration of the Popes who succeeded Aeneas, whose reigns were marked principally by two characteristics—the deepest moral corruption, which alienated the lingering respect of Germany; and a petty intermeddling in politics, which reduced the Papacy from its mediaeval position as a sovereign power to its modern position as an Italian principality. The former of these characteristics began at once on the accession of Paul II.;[1] it reached its climax under Alexander VI. The other feature shows itself also under the next succeeding Popes, but was most openly displayed in the pontificate of the warlike Julius II.

(1) *Moral Corruption.* (a) *Paul II.* A.D. 1464–1471

The first days of the rule of Paul II. were distinguished by a violent repudiation of the conditions of his election.[2] He had sworn not only to inaugurate many other reforms, but also to continue the expedition against the Turks; to correct the morals of the court; to convene a general council within three years; not to increase the number of cardinals beyond twenty-four; to choose out worthy men for the office, and only to elevate one of his own family;

[1] Paul II. succeeded Pius II. August 1464, and died July 1471. His life in LABBÉ, xix. 174.

[2] See the Capitulation in RAYNALD, 1458, No. 5.

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not to depose abbots and bishops at the request of princes, and to allow the cardinals to meet twice a year to see that these conditions were carried into effect. But his promises were violated. His flatterers represented to him that the vicar of Christ could not be bound by earthly conditions; and partly by threats, and partly by persuasions, the cardinals were brought to sign new rules, declaring the former ones void.

(b) *Sixtus IV.* A.D. 1471–1484

The one object of his successor, Sixtus IV.,[1] was to raise his family from their low estate to the highest rank. To attain this object he sacrificed everything—honour, justice, principle, ecclesiastical censures, morality. Lending himself to the designs of his nephew, Jerome Riario, he upheld the conspiracy of the Pazzi against the Medici in Florence. When this conspiracy had failed, he visited Florence with spiritual weapons, and called in upon her the arms of Naples. Ferrara next attracted the covetousness of his nephew: and forthwith Sixtus was allied with Venice to overturn the dominion of the House of Este there. Then his nephew changed sides; the offer of a pension for three years of 40,000 aurei was more than his avarice could resist; and now Sixtus excommunicated Venice. But when Venice was so successful that her enemies were obliged so make peace notwithstanding her excommunication, chagrin at the failure of his plans hastened his end, and he died on August 12, 1484.

(α) *Treatment of Florence.* 1478

(β) *Ferrara.* 1482

(γ) *Venice.* 1483

[1] Sixtus IV. was Pope from August 9, 1471 to August 12, 1484. His life in LABBÉ, xix. 371.

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(c) *Innocent VIII.* A.D. 1484–1492

The moral corruption of the Papacy seems now to increase with each succeeding Pontiff. In fact, the possession of the See was regarded simply as an instrument of aggrandisement for the family of the fortunate occupant. In this spirit, Innocent VIII.[1] —a misnomer commemorated in the epigram of the day[2]—in defiance of the conditions of his election, employed his place as a lever to exalt and enrich his seven illegitimate children. On the fourth day after his election, there was a scramble for office. In the same spirit Innocent allowed himself to be bribed by an annual payment from the Turkish sultan to detain in prison Dschem, the sultan's brother and rival, although the latter was burning to head an army against Bajazet, and might have secured many successes to the Christian cause.

(d) *Alexander VI.* 1492–1503

But nothing can compare with the career of the infamous Alexander VI.,[3] the most depraved of all the Popes, uniting in himself at once the vices of Innocent VIII., and the unscrupulous family ambition of Sixtus IV. His election was secured by bribery, and his administration of office was in keeping with this beginning. Any and everything was permitted if it were only paid for. It became proverbial that for money anything might be had—the

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[1] Innocent VIII. was Pope from August 20, 1484, to July 25, 1492. See LABBÉ, xix. 403.

[2] 'Octo Nocens pueros genuit, totidemque puellas ;
'Hunc merito poterit Roma vocare patrem.'

[3] Alexander VI. was Pope from August 11, 1492, to August 18, 1503. See LABBÉ, xix. 523.

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keys, altars, Christ himself.[1] Everything was made subservient to the promotion of his five illegitimate children. His daughter, Lucretia, was separated from her former husband, the widower being indemnified with money for the loss of his wife; she was anew married to Alexander, Lord of Pezaro; when deserted by the Lord of Pezaro, she was next given to a natural son of Alfonso of Aragon, and on his death to Alfonso of Este, Lord of Ferrara. On his younger son was conferred a dukedom in Sicily; on his elder a dukedom in Spain. His favourite son, Caesar Borgia, was advanced to the cardinalate before he had attained to years of discretion. In return for large gifts bestowed on his children, the Pope espoused the cause of Ferdinand of Naples against France, threatening the French king with excommunication, and invoking the aid of the Turks against him. When, however, Charles VIII. appeared in Rome, he immediately went over to his side, and poisoned his prisoner, Dschem, lest he should lose the price offered for his head. And when the new King of Naples refused to satisfy the extravagant demands of Caesar Borgia, proposals were made to Lewis XII., King of France, to overwhelm Naples. No means were left untried which could contribute towards his favourite project, that of creating for
A.D. 1498 Caesar an independent principality. He was released from his ecclesiastical profession; he was

[1] The epigram:

'Vendit Alexander claves, altaria, Christum:
'Jure quidem vendit: emerat ipse prius.'

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made general captain and gonfalonier of the Roman Church; he was raised by the French king, Louis XII., to the dukedom of Valentinois, to secure which Alexander had sanctioned the divorce of Louis from his wife; he was supported by a French army in vanquishing the powerful vassals of the Roman See, Naples being in return handed over to the tender mercies of Spain and France. But the newly-created state of Caesar Borgia was short-lived; a principality founded on injustice could not last. No sooner was Alexander VI. dead, than his kingdom fell to pieces, some portions submitting to their banished lords, some to the Pope, some falling a prey to the conquering arms of Venice.

(e) *Vices of the Court.*

Meantime the luxury, avarice, and vices of the papal court knew no bounds. Benefices and ecclesiastical dignities were sold by public auction; promotion, marriage, divorce, all might be secured for money. A contemporary writer[1] describes how the

[1] The letter was addressed, in 1502, to Sylvius de Labellis, given by BURCHARDUS in *Eccard.* ii. p. 2144: 'Haec tibi in pub-
'licis principum conventibus enarranda . . . frustra queri Christi-
'anam religionem de Mahometo antiquo ejus hoste . . . cum iste
'novus Mahometus omni criminum foeditati illum longe super-
'averit: . . . venisse tempora, quibus jam Antichristus . . . ap-
'pareat. . . . Jam beneficia et dignitates ecclesiasticas . . . pub-
'lica venditione dissipari, et illis solummodo cedere, qui aperta
'emptione plus pecuniarum quam caeteri largiuntur. . . . Omnia
'jam apud Pontificem esse venalia, dignitates, honores, matrimo-
'niorum copulas, eorundem solutiones, divortia et repudia uxorum.
'. . . Nihil esse jam scelerum aut flagitiorum, quod non Romae
'publice et in Pontificis domo committatur: superatos esse Scythas
'latrociniis, Poenos perfidia, immanitate et saevitia Nerones et
'Caios: nam caedes, rapinas, stupra et incestus referre, innumeri
'et infiniti prope operis fore. . . . Longum esset prosequi . . .

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Scythian love of plunder, the Carthaginian absence of faith, the cruelty of a Nero and Caligula were surpassed at Rome; how murder, robbery, lust, and incest were things of every day occurrence; how the Palace of St. Peter was thronged by prostitutes and pimps; how brothels everywhere abounded; how at a banquet given in the Lateran palace on the Festival of All Hallows, fifty of the most notorious courtesans were invited to take part; how the Pontiff and his sons amused themselves by watching the loves of animals; how indulgences were sold and the right of spoils, ostensibly in the prospect of a war with the Turks, but really as a means of gain; and how the ancient lords of Latium were either murdered or ousted from their possessions in order that on their ruin the Pope's illegitimate offspring, when they had

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'qui vel interfecti, vel vulnerati, vel vivi in Tiberim dejecti, aut 'veneno consumpti sunt: . . . Nemo in urbe est etiam privatae 'fortunae, qui sibi et suis jam non timeat. Quis horrenda libi- 'dinum monstra enarrare non formidet, quae aperte jam in illius 'domo et spreta Dei atque hominum reverentia committuntur; 'quot stupra, quot incestus, quot filiorum et filiarum sordes, quot 'per Petri palatium meretricum, quot lenonum greges atque con- 'cursus, prostibula atque lupanaria. Feria Novembris solennibus 'omnium Sanctorum caerimoniis dedicata quinquaginta meretrices 'urbanae ad convivium in palatium vocatae foedissimum et detes- 'tabilissimum spectaculum praebuere: et ut ad irritandum exem- 'pla non deessent, actitata est sequentibus diebus in publicum 'spectaculum equa, quae spectante cum filiis Pontifice intromissos 'admissarios nimio Veneris ardore concitatos in furorem et rabiem 'converteret. . . . Pulsos esse sedibus veteres incolas, maximam 'urbis nobilitatem proscriptione atque exilio obligatam, antiquos 'Latii dominos suis fortunis et possessionibus privatos, ut ex 'eorum cladibus Pontificis eidem filii et nepotes, ex incestuoso 'partu adhuc in cunis vagientes, ad regna et opes promoverentur.'

hardly been born, might be raised to place and wealth. The picture is not overdrawn. That conduct brought its own retribution. Alexander fell a victim to the poison which he had prepared for a rich cardinal, in order to make himself master of his wealth.

(f) *The Night of the Papacy.* A.D. 888–1046

One other epoch in the history of the Papacy can alone compare with this in point of moral corruption,—the epoch which set in after the extinction of the Carolingians and which terminated with the appearance of Henry III. in Italy. Both epochs resemble one another in the position which they occupy in history. One came at the close of the age of growth; the other at the close of the age of decline. Both epochs were forerunners of a change. Both stimulated re-action. With the last of the Carolingians ended the age of voluntary contract between the Popes and the Western emperors. From the night of corruption which followed emerged the Hildebrandian era, ushering in the age of the Pope's compulsory sovereignty. That sovereignty had since then reached its zenith and declined. Now the night of moral corruption had again set in. When the day of the Reformation supervened, it found no longer the old mediaeval Papacy existing and universally acknowledged, for the moral weight which formed its last prop was gone; but it found the modern Papacy exercising a divided sway over a part of Europe, still high in its pretensions, but those pretensions a shadow, since they were recognised by none but its voluntary adherents.

(2) *Political degradation.*

The other feature which characterises the Mediaeval Papacy in the last years of its decline was its

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political degradation—a degradation consisting not merely in the loss of political influence, but in an intermeddling in politics as a territorial princedom, on an equality with other petty principalities. Already Paul II., as Pope, had found it necessary to carry on an incessant negotiation with Ferdinand King of Naples, who desired a release from his feudal tribute. In the latter years of his reign negotiations gave place to open warfare. Innocent VIII. was involved in similar disputes. He carried on two wars with Ferdinand King of Naples, and brought forward the Duke of Lorraine as pretender to his crown. The attempts of Sixtus IV. and Alexander VI. to procure principalities for their families had not placed the See of Rome in a better position. It appeared simply one among many smaller states seeking for increase of territory. It forfeited its old position as a supreme sovereign power. Its counterpart, the Empire, had shared the same fate. In short, Europe was no longer united either civilly or religiously.

(a) *Paul II. to Alexander VI.*

A.D. 1464–1503

1469

1492

(b) *Julius II.*

A.D. 1503–1513

(a) *Attempts to recover Romagna.*

Its political degradation was, however, completed by Pope Julius II., who succeeded after the one month's rule of Pius III.[1] to the chair of St. Peter, and distinguished himself as much by his warlike propensities as his predecessors had done by their luxury and vices. It was the intention of Julius II. to recover all that had belonged to the See in the time of Innocent III., to reduce the whole of the

[1] Pius III. was elected September 22, 1503. He died October 18 of the same year. LABBÉ, xix. 535. Julius II. succeeded him, October 31, 1503, and died February 21, 1513. His life, *ibid.* p. 535.

Romagna again to the papal dominion, including Ravenna and Cervia although these had been possessed by the Venetians[1] for more than a century. The results of his intentions were a long series of complications, at the end of which the Pope appeared to have quenched the hostile spirit awakened at Constance and Basle, but had really only suppressed its display by entering into treaties with different princes.[2] By lending his sanction to the principle of national Churches, Julius II. signed the death-warrant of his own sovereign power.

(β) *Hostility to Venice.*

In carrying out his projects, Julius II. soon met with opposition from the powerful state of Venice. Perugia and Bologna he had succeeded in wresting from their lords; but Venice refused to surrender her conquests so readily. Accordingly, the league of Cambray was concluded against her by the Pope, the emperor, the King of France, and the King of Aragon. In this league both the Pope and the emperor appear as national sovereigns on a level with other kings. The four contracting parties pledge themselves not to desist from war until

A.D. 1506

Dec. 10, 1508

[1] BOMBUS, *Hist. Venet.* lib. vii. p. 273: Julius threatened the Venetians with the severest penalties 'nisi die praestituta non 'Faventiam modo atque Ariminum, sed Ravennam quoque Cer-'viamque sibi tradiderint: quae quidem oppida centum ferme 'annos in reipublicae imperio fuerant, neque ullus ea Pontifex 'Maximus in dubium revocaverat, quin jure a republica posside-'rentur.'

[2] Thus the League of Cambray was concluded December 10, 1508, between the Pope, the emperor, the Kings of France and Aragon against Venice. RAYNALD, 1509, No. 4. In October 1511 Julius concluded a close alliance with Venice and Spain.

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Ravenna, Cervia, Faventia, and Rimini had been recovered for the Pope; until Verona, Padua, and several other cities beside the Patriarchate of Aquileia had been restored to the emperor; until the King of France had obtained Brescia, Bergomo, and the ancient holdings of the dukedom of Milan; and the King of Aragon had secured possession of Brundisi, Otranto, and other parts of the kingdom of Naples which the Venetians had also appropriated.

(γ) *Hostility to France.*

Soon Julius II. relented. In his anxiety to gain power for himself in Italy, he found that he was inviting a foreign foe into the country. Alarmed by the success attending the French arms, his forgiveness was readily accorded to Venice;[1] and he next entered into a treaty with Venice to oppose the French and their ally, Alfonso, Duke of Ferrara. In acting thus he appeared, not in the dignified position of an arbiter, but in that of a local prince, intent upon personal aggrandisement. And this view was actually taken of the case by Louis XII. of France and the emperor. When Julius invested Ferdinand the Catholic with the sole dominion of Naples, declaring that the French king had forfeited his claim to that principality, Louis XII., following the example of Philip the Fair, convened a national council at Tours, at which it was decided that the king might invade the states of the Church, and renounce allegiance to a Pope who acted unjustly.[2] When the

July 10, 1510

Sept. 1510

Aug. 9, 1510

[1] February 20, 1510.

[2] The Council of Tours was held September 1510, and replied

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Pope issued a sentence of condemnation against the Duke of Ferrara, even Germany presented a long list of gravamina, and threatened to follow the example of France, and to enact a Pragmatic Sanction. But nothing could bend the obdurate Julius II., set on establishing the territorial sovereignty of the Pope in Italy. When, therefore, the King of France and the emperor summoned a general council at Pisa,[1] Julius II. retorted by convoking a Lateran Council at Rome,[2] which continued to sit for several years, and by concluding a closer alliance than before with Venice and Spain.

A.D. Sept. 1511 April 1512

The success which now attended the cause of Julius II. only display, in a still clearer light, the decline of the Pope's international power. For successful Julius undoubtedly was. By the arms of the Swiss the French were driven from Italy; the emperor declared himself on the side of the Pope;[3] the Pragmatic Sanction was condemned,[4]

(*c*) *Leo X.* 1513

to the questions proposed to it as follows, LABBÉ, xix. 557. The first question: 'An liceat Papae bellum inferre Principibus temporalibus, in terris quae non sunt de patrimonio Ecclesiae?' it replied: 'Conclusum fuit unanimiter per concilium, Papam nec posse, nec debere.' To the second question: 'An liceat Principi defendenti se, suaque, non solum propulsare armis ejusmodi injuriam, sed etiam invadere terras ecclesiae possessas a papa notorio hoste suo?' it replied: 'Principem hoc posse.' To the third question: 'An ob tale odium notorium et aggressionem injustam, liceat tali principi se subtrahere ab obedientia hujusmodi pontificis . . .?' it gave an affirmative answer.

[1] Concil. Pisan. September 1511, LABBÉ, xix. 562.

[2] The Acts, *ibid.* p. 666.

[3] See the Mandatum Maximiliani, September 1, 1512, *ibid.* p. 732.

[4] At Sessio iv. the Monitorium contra Pragmaticam, *ibid.* p. 750.

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and the whole realm of France was placed under excommunication. To serve his own ends, Louis XII. even went so far as to give in his adherence to the Lateran Council, and to abrogate the Pragmatic Sanction.[1] But it was only an act of temporary policy done at the accession of a new Pope by a weak king, and intended to produce a better feeling between two courts, neither of which any longer regarded the other except as in the light of an equal. Two years
A.D. 1515 later Francis I. came to the throne; and entered Italy with irresistible force. Leo X., more prudent than his predecessor, Julius, concluded a treaty of
Oct. 13, 1515 peace with him without delay; and the Pope and the king, meeting as two equal sovereigns, drew up a concordat, by which they shared between them the ancient liberties of the Gallican Church.[2] The rising

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[1] Mandatum Regis Francorum in LABBÉ, xix. 832, October 1513.

[2] Promulgated by Leo X. in 1516 at Sessio xi. in the Bull: Primitiva illa ecclesia, LABBÉ, xix. 948. The following are the chief points in the concordat, *ibid.* p. 950, D: 'Quod cathedra-'libus et metropolitanis ecclesiis in regno . . . ad electionem seu 'postulationem futuri praelati procedere non possint: sed illarum 'occurrente hujusmodi vacatione, rex Franciae pro tempore exist-'ens unum gravem Magistrum seu Licentiatum in theologia, aut 'in utroque, seu in altero jurium doctorem, . . . in universitate 'famosa . . . et in vigesimo septimo suae aetatis anno ad minus 'constitutum . . . infra sex menses a die vacationis ecclesiarum 'earumdem computandos, nobis et successoribus nostris Romanis 'pontificibus, . . . sedi praedictae nominare . . . *Ibid.* p. 952, B: 'Volumus quoque et ordinamus quod in regno praedicto . . . de 'cetero non dentur aliquae gratiae exspectativae, ac speciales 'vel generales reservationes ad vacatura beneficia. Statuimus 'insuper, quod ordinarus collator in unaquaque cathedrali . . . 'canonicatum ac praebendam theologialem inibi consistentem,

freedom of the laity was thereby crushed; the Pope recovered most of his ancient power. Nevertheless, at that very moment the Pope was little more than a dependent Italian sovereign. The privileges which he gained at Bologna were not obtained by the moral compulsion which the Papacy had exercised in the days of its greatness, but by the voluntary grant of the French king, Francis I. The grant was an act of policy, intended to serve the private ends of a monarch who was prepared to make concessions to the venerable but powerless grandeur of the Papacy, in return for gaining a greater power himself.

*Conclusion.*

Thus was the work of Gregory VII., of Innocent III., and of Boniface VIII. undone; and the See of Rome deprived of the place it once had

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'conferre teneatur uni Magistro . . . seu Baccalaureo formato in 'Theologia.' The decree of the Council of Basle is here repeated (see Chap. xv. p. 504, note [3]): 'Praefatique ordinarii . . . ultra dic- 'tam praebendam theologalem . . . tertiam partem omnium dig- 'nitatum . . . viris literatis, graduatis et per universitates nomi- 'natis hoc modo, videlicet primo mense post praesentium accep- 'tationem . . . graduatis hujusmodi, qui literas suorum graduum 'cum tempore studii debite insinuaverint, conferre teneantur. 'Beneficia vero quae in duobus sequentibus mensibus vacare con- 'tigerit . . . personis idoneis libere conferre . . . possint.' *Ibid.* p. 955, c: 'Statuimus quoque, quod parochiales ecclesiae in civi- 'tatibus aut villis muratis existentes non nisi personis modo prae- 'misso qualificatis . . . conferantur.' *Ibid.* E: 'Statuimus quo- 'que et ordinamus, quod quilibet Romanus Pontifex semel dum- 'taxat sui pontificatus literas in forma mandati . . . dare possit. '. . .' Other articles refer to appellations, to the peaceable possession of benefices, to the concubinage of the clergy, to those excommunicate, to the use of the interdict, to the forms of resigning benefices, to the duration of the concordat.

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held. The political supremacy of the Popes, after growing from the time of Gregory I. to that of Innocent III., had been swept away during their residence at Avignon. Their ecclesiastical supremacy was on the decline, and, since the Great Schism and the independent Councils of Constance and Basle, had only been upheld by extraneous support. Their moral influence too was gone, the court having become a scandal to Christendom. Once more they were reduced to the position of patriarchs of the West; but not for long. The vices of Rome were too enormous; the abuses to which she leant her countenance were too crying. Already, whilst Leo X. and Francis I. were partitioning between themselves the liberties of the Gallican Church, the day of upheaval was at hand. Disgusted with her political intrigues, repulsed by her presumptuous intolerance, and smarting under the oppression of her avarice and extortions, the Teutonic nations emancipated themselves from the fetters which she had forged; and their indignation, when it did burst forth, was long and loud. Vitiated and corrupted, Rome lost her old place as head of the Western Patriarchate; many of her adherents renouncing henceforth her connection altogether. In acting thus, they no doubt consulted their own interests, perhaps yielding to inevitable circumstances; but certainly they committed an act full of sad consequences for Europe. The Papacy thenceforth became simply an Italian power, to which those nations only who so willed gave in their allegiance. On the other hand, the denial of its claims led to a re-action in its favour, and

a wild enthusiasm in its supporters, unable to distinguish between the present and the past. From them it has caught the note of exultation, and, continually excluding the greater and more independent minds, the modern Papacy has advanced its claims in proportion as its power diminished, and sought, by keeping those whom it still possesses in the most abject state of spiritual slavery, to prevent further defection from its ranks. But all to no purpose. Like the Empire, it has survived for centuries after its real work was over; like the Empire, its final doom appears to be impending in some sudden revolution, which will obliterate it for ever. Meantime it lives like the venerable trunk of a decaying oak, braving the storm for centuries; its life spared, not from its own intrinsic strength, defying the teeth of time, but from a respect (which who would not feel?) for its hoary antiquity, and all the hallowed associations which gather about its name. For to the Papacy in its earlier days Europe owed and still owes a debt, which should never be forgotten nor ignored under the smart of subsequent extravagances. To Rome she owes the zeal which once visited this continent when covered with forests and marshes, the abode of bison and elk, tenanted by ignorant barbarians, worshipping Odin and Thor, and Frigga and Tiu. To Rome she owes the elements of civilisation, and the curbing of the fiercer spirits which once reigned supreme, the diffusion of a gentler spirit over her life, and her training for future greatness.

# CHAPTER XVII.

## THE BREAKING UP OF THE HOLY EMPIRE.

(1303—1515.)

*Et erunt signa in sole, et luna, et stellis, et in terris pressura gentium prae confusione sonitus maris et fluctuum.*—Luc. xxi. 25.

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A. *Transition period for Church and State.*

(1) *International position of the Pope and Emperor.*

THE two centuries which intervened between the death of Boniface VIII. and the election of Leo X. were critical centuries for the ties which connected the Church and the State. At the death of Boniface VIII., the idea of the Holy Empire or the Imperial Catholic Church still existed, partially realised; at the election of Leo X. all reality had passed away; and thenceforth it only exercised sufficient strength to produce among the divided nations of Europe national churches, imitating the example of the great Imperial Church of the Middle Ages. Those two centuries were therefore a period of transition. When they began, the emperor was the only great sovereign of Europe; when they closed, he had been reduced to the rank of a German king. When they began, the Pope was the supreme ecclesiastical sovereign of the West; when they ended, the Pope had come down to the level of an Italian bishop, obliged to rely on foreigners for the security of his own domains, and to make concessions to his

adherents, in order to be sure of their allegiance. The age in which the Pope and emperor were sovereigns of the West, was fast passing into the age in which they were only national sovereigns. The old order was passing away to give rise to a new order of things. Well, therefore, may this epoch be described as the epoch of the international position of the Papacy and the Empire; both having ceased to be supreme sovereigns of Christendom, neither having as yet become simply national powers, but each exercising over other sovereigns an influence resting on prestige rather than on the power of compulsion.

*(a) Sense in which their position was international.*

For whilst the belief in the Empire and the Papacy was by no means extinct, circumstances were separating the inhabitants of Europe into distinct nations, and calling into being national churches to correspond with these nations. Growing up in proportion as the Empire and the Papacy declined; rising even to power by wresting their prerogatives; these nations henceforth claimed sovereign powers for themselves, whilst they continued for some centuries to look up with feelings of reverence to the emperor and the Pope, and even allowed their conciliatory intervention in cases which could not be otherwise settled. In short, the emperor and the Pope were recognised as international powers; their further claims were disallowed. Unfortunately, they could not rest satisfied with this position. As their power diminished, their pretensions increased, and the Pontiff, who was himself the most abject minion of a French king, claimed the right to dispose of the

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Roman Empire,[1] just as the most contemptible of all the emperors[2] lent himself to the project of deposing two rival Popes.

*(b) Policy an evidence of their position.*

The loss of absolute supremacy on the part of both the Pope and the emperor may be best seen by looking at the instrument which both now began to employ, and which is a clear sign of an equal dealing with an equal, if not of an inferior dealing with a superior. Policy was their watchword. By *policy* they now endeavoured to secure what formerly they had obtained by an exercise of power. From the time of Henry VII., policy was the leading characteristic of the Empire, as it was of the Papacy from the time of Clement V. The concessions of Benedict XI. were made under the influence of policy, quite as much as were those of Charles IV.[3] to obtain the electoral votes, or those of Frederic III. to obtain the papal coronation.[4] The whole history of the Popes since their residence at Avignon has been seen to be involved in considerations of policy, of which Pius II. is a striking illustration. Julius II. distinguished himself for his unscrupulous diplomacy.

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[1] Clement V. in his Bull, dated March 21, 1314, RAYNALD, ad an. 1314, No. 2 (quoted by GIES. vol. iv. sec. 98, p. 18): 'Nos, 'ad quos Romani vacantis Imperii regnum pertinere dignoscitur, 'attendentes, quam avide Italiae partes, praesertim quae ad Im- 'perium ipsum pertinent, rectorem exigant, . . . tu de fratrum 'nostrorum consilio in partibus ipsis . . . vicarium in tempora- 'libus usque ad sedis apostolicae beneplacitum constituimus 'generalem,' etc.

[2] Wenceslaus. See GIES. vol. iv. sec. 106, p. 111.

[3] See GIES. vol. iv. sec. 100, p. 62.

[4] *Ibid.* sec. 133, p. 348.

And the emperors, bound to respect the immunities of their electors, and thwarted in every attempt to recover their lost rights or lands, could only by following a similar course, and trusting to policy, either obtain the dignity at all, or indemnify themselves when elected for the difficulties of election.

(c) *Failure of both as international powers.*

Whilst the Popes and the emperors were thus placed in the same situation, the latter, crippled by the conditions imposed at their election, and not quite so unscrupulous as their ecclesiastical rivals, withdrew from this strange position, and confined themselves exclusively to the government of Germany. Not so the Popes, who still aspired to universal sovereignty. But whilst this position gave to the Popes a better opportunity of acting as international judges, the condition of the Papacy gave them all the less chance of success. At one time they were denizens in a foreign country; then the Papacy was distracted by a schism; again it was at war with councils called to heal the schism, and then sunk in indifference and vice; until men turned away from the Popes with disgust, as they turned away from the emperors with pity. They found the tribunals, which should have been international in secular and religious matters, either unable or unwilling to busy themselves with disputes between the rising nations of Europe, and hence they were thrown back on themselves. Political disputes had to be fought out on the battle field, and religious disputes in the field of books; each nation, meantime, settled for itself its constitution and religious creed.

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(2) *Rise of nationalities and national Churches.*

The consolidation of distinct nations, and the rise of national Churches, went hand in hand together; and although both these processes were not completed until the end of the fifteenth century, still, in the two preceding centuries, they were going on, and nearing completion. Out of the ruins of the Holy Empire the political distinctions of Modern Europe have grown. Out of those same ruins national Churches have been developed, and were being developed, long before the actual crisis came. Already, during the residence of the Popes at Avignon, France appears as a distinct nation, giving a bias to the papal policy. England, too, had separated herself from connection with her continental cousins under Edward I.[1] In the time of Huss, the University of Prague was divided into four nations, the Bohemian, the Bavarian, the Saxon, and the Polish. The Great Schism brings before us Scotland and England, Germany and Denmark, Poland, Spain, Naples and France, as separate peoples; and the ecclesiastical, as well as the political separation of these race-groups, was displayed and sanctioned at the Council of Constance by the method of voting there adopted. Still it would be a mistake to consider either nations or national Churches as having, in those two centuries, anything like their modern distinctness. They were nearer to the time when there was no distinction in the great ecclesiastical

[1] The best criterion of nationality is language; and the earliest book in the modern English language is *The Vision of William concerning Piers the Plowman*, written by William Langland about 1377.

society of Jew or Greek, barbarian or Scythian, and when local jealousies had not as yet widened into national exclusiveness. The Papacy still acted as a bond of union uniting all in one fold; the Empire still shed the softening rays of its influence over all.

(3) *Breaking up of Latin Christianity and the Roman Empire by*

(a) *Capture of Constantinople;*

The two events, which put an end to this state of transition, and ushered in the modern world, were the capture of Constantinople and the Renaissance. Both happened almost at the close of the fifteenth century. Their effect was hardly felt till the beginning of the next century. But their importance cannot be over-estimated. The capture of Constantinople, little as it may seem to be connected with the West, was, nevertheless, most significant, as marking the end of the Roman Empire. That Empire had continued to live on, long after its government had been removed to Constantinople; upholding on new ground the pretensions of the old world; encircled with a halo of former glory, which was reflected in its Western counterpart, and which in a great measure secured to the Western Empire a new life when transplanted to German soil. The fall of Constantinople showed that the end of that Empire was come; it showed that the Latin spirit of centralised organisation was setting in the East; it was the harbinger of its setting in the West. It broke the spell, which the name of Roman Empire had for centuries wielded in Germany. Supposed to be everlasting, to be coextensive with the world, to have the especial support of God, one part of that Empire had nevertheless come to an end in the East. Might not the same happen to the other part

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in the West, where undeniable marks of decline could be already discernible? Few may have been so far-seeing as to suggest an event which did not take place until the year 1806. Yet, even the Western Empire was now no longer what it had been.

*(b) Revival of letters.*

Connected with the fall of Constantinople, and, in a great measure, helped on thereby (thanks to the Greek refugees who fled to Europe before the victorious arms of the Turks), was the revival of Greek learning. Not that in itself that learning or that culture was better than what Germany already possessed. For was not the mythology of the northern nations quite as elaborate as that of Greece, breathing too far nobler ideas, and far grander lessons of morality? The German who had his Niebelungen Lied could dispense with Homer. The races who could rear the fantastic and graceful piles of a Gothic cathedral could gain nothing from the architecture of Greece. The monuments of erudition left by the great schoolmen show capacities and powers quite on a par with those of Aristotle and Plato. Nevertheless, the revival of the ancient learning was important. And it was chiefly important for this reason, because it introduced the European nations to a wholly new phase of thought. Possessed themselves of the greatest capacities, as the works of the schoolmen prove, they were yet in a state of thraldom to Latin forms of thought. Their capacities were employed in elaborating the ideas, which had descended to them from Rome, not in the free development of the ideas which they

carried in embryo in themselves. Such had been the effect of training, and of the yoke imposed on them by Rome, that the current topics of thought seemed to them not to be the ideas belonging to one race only, but to be the only ideas possible; in short, to be ideas possessing a real existence; not to be mere creations of their minds, but to be absolute realities. Great, then, must have been the effect on their feelings, when they were brought face to face with new ideas, many of which contradicted all that they had looked upon as real, and which, as being real, they had invested with the sanction of religion. Staggering under the surprise of the discovery, they were at first plunged in a state of uncertainty and doubt, but in the end they recovered from this state of mental indisposition, to find that notions which they had formerly believed to be real were only Latin modes of thought, just as the new introduced notions were only notions peculiar to the region of Greek thought. The long-slumbering, long-suppressed self-consciousness of the Teutonic mind awoke. The sway of Latin Christianity in the West was at an end. A new spirit began to reform the Church.

B. *Parallelism in the history of Empire and Papacy.* (1) *Both derived from a common origin.*

Nothing more clearly illustrates the nature of the Holy Empire, or the Imperial Church, which continued to exist, even in decline until the sixteenth century, than the parallelism which may be observed in the history of its two heads. Yet such a parallelism might well be expected, when it is borne in mind that the double headships sprang from one and the same source. For was not the Imperial head-

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ship a Roman institution, an attempt to make the Roman Empire live over again, transplanted to the forests of Germany? Was it not based on the claim of Rome to be mistress of the world? And did not the papal headship rest on the same ground, being likewise a Roman institution, and the ecclesiastical counterpart to the other? Both headships were, therefore, of foreign origin; both were institutions which had come from the South, and, in coming, had brought with them innumerable benefits—Christian civilisation, political order, regular government. Both had risen to power, each by the help of the other, and having risen had struggled for the supremacy. And yet, after all, supremacy had permanently fallen to the lot of neither, although for a time it had fallen to the one to which it was most due, the Papacy. For without the Papacy there would have been no Western Empire. Without the Papacy there would have been neither civilisation nor Christianity. To a certain extent, therefore, the haughty language of Innocent III. was true, that the Empire had been taken away from the Greeks and given to the Germans, in the person of Charles, by the favour of the Popes.[1] Not that anything new had been given to him, but the allegiance of the West; still the instrument through which that allegiance had been given was the Papacy.

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[1] Innocent III. Ep. xviii. in REGEST. super negot. imp.: 'Verum 'ad apostolicam sedem jampridem fuerat recurrendum, ad quam 'negotium istud principaliter et finaliter dinoscitur pertinere; 'principaliter, quia ipsa transtulit imperium ab oriente in occiden-'tem; finaliter, quia ipsa concedit coronam imperii.'

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(2) *Parallelism recognised by Dante.*

The parallelism between the Pope and the emperor is fully recognised by Dante, who was himself the first to attack the exorbitant claims of Boniface VIII. In his treatise 'De Monarchia' the relations of the Imperial and Papal power are carefully examined, and the passages to which the advocate of papal supremacy appeals are otherwise explained.[1] Both the sun and the moon, the favourite symbols of the Double Headship, existed, he argues, before man's creation, and cannot therefore serve as types of the governing powers of human society. But if they are used as types, he asks, why should not the temporal power be aided by the spiritual, as well as bestow aid upon it, since the moon receives neither her being nor her light from the sun, but only so much as makes her more effective. Nor can the two swords, the power of binding and loosing, given to St. Peter, be used with any more justice as arguments for the Pope's supremacy, since, when rightly explained, they do not bear this meaning. In short, the whole idea is one which must not be pressed. There is a parallelism between the Church and the Empire, but it is more of a parallelism than a fusion of the two into one.

(3) *Instances of parallelism.*

(*a*) *Number of crowns.*

In tracing some instances of the parallelism between the Empire and the Papacy, it may, perhaps, be as well first to draw attention to what in itself seems an unimportant thing; the fact, viz., that both the Pope and the emperor were not one but a multiplicity of crowns—the Pope, the triple tiara, the

[1] See BRYCE's *Holy Roman Empire*, xv. 294.

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emperor three crowns, to which a fourth was subsequently added by Conrad II. In itself, the use of several crowns may seem a small thing, but in the Middle Ages, when a great importance was attached to symbols and symbolical acts, it was otherwise. Then the wearing a double or treble crown was an assertion of a higher dignity for the wearer. Thus the three crowns of the emperor, which, according to the old writers, were of silver, iron, and gold, denote his authority over Germany, Italy, and the Empire. They were conferred at Aachen, Monza, and Rome respectively.[1] All three were in use at the beginning of the Hildebrandian era. But with the papal tiara it was otherwise. Until the time of Boniface VIII., the Pope wore one crown only; Boniface VIII. added a second; and Urban V., some sixty years later, added a third.[2] In the time of their greatest power, the Popes had not required these symbols of ascendency which in their case, too, had no historical associations but with their declining power, the corresponding symbols of pretension were likewise assumed that they might not seem below the emperor.

*(b) Contemporary decline.*

About the decline of their power a parallelism may also be observed. The long interregnum in Germany, which terminated with the election of Rudolph of Hapsburg, marks the fall at once of the papal power in Germany and of the imperial power in

[1] A fourth crown, that of Burgundy, was only taken by four emperors. On the use of the others see a short sketch in BRYCE'S *Holy Roman Empire*, appendix, p. 445.

[2] See the article Tiara in PUGIN'S *Glossary of Ecclesiastical Decoration.*

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Italy. Gregory X. compelled the recognition of Rudolph. The further pretensions of the Popes to the Vicariate of the Empire, stated by Clement V. in the most offensive terms,[1] the Germans never admitted. Already under the Pontificate of Boniface VIII. signs of decline appeared in the papal heaven, and with his death and the residence of the Popes at Avignon, that decline grew apace. But not less A.D. 1303 marked were the signs of decline in the Empire from the time of Rudolph of Hapsburg, who owed the security of his throne to the influence of the Pope.[2] After the death of Henry VII., the decline was marked and rapid. If the political supremacy of the Popes was at an end after the death of Boniface VIII., the power of the emperors beyond Germany, 1313 even their supremacy in Germany, was at an end after that of Henry VII. The same circumstances had caused the contemporary growth of the Empire and the Papacy; the change of those circumstances now caused them to decline together.

*(c) Double elections.*

Nor was it wholly accidental that, in the history of the Papacy and the Empire, events should have occurred, so nearly resembling one another, as the double elections to the Empire and the double elections to the Papacy. No sooner had Frederic II. by two Pragmatic Sanctions, in A.D. 1220 and 1232, confirmed the customary rights usurped by the bishops and nobles, and recognised their legal sovereignty in their own towns and districts, except

[1] See note [2], p. 420.

[2] BRYCE'S *Holy Roman Empire*, xiii. 236.

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when the emperor was present, than Germany was distracted by the double election of Richard of England, and Alfonso of Castile. Thus division followed on the loss of political supremacy in the Empire, and might probably have continued long, but for the intervention of one at that time greater than the emperors. Frederic of Austria claimed the imperial crown in opposition to the Emperor Lewis IV.; Gunther of Schwartzburg was the rival of Charles IV.; even Sigismund had a rival in Jobst of Moravia. The same lot befell the Papacy; the Great Schism of the West followed as soon as the Popes had forfeited their political supremacy by their residence at Avignon; it continued for thirty-nine years; nor was the division ended but by the intervention of a power which aspired to be greater than the Papacy itself.

*(d) Rise of aristocracy.*

This new power, which rose to control the Popes, came from none other quarter than the hierarchy itself, from the higher spiritual nobility or the College of Cardinals, and the ecclesiastical commons assembled in a General Council. The two bear a close resemblance to the powers which reduced the Empire to the higher nobility and the representatives of those lower in rank. Both were assertions of liberty by the people against sovereigns claiming to be despotic. Both were indications of the growth of the Teutonic spirit against the absolute thraldom of Rome. At an earlier time—in the twelfth century—the emperor himself, in his struggles with the Pope, had appeared as the representative of German freedom; now, in the fourteenth and fifteenth cen-

turies, the same spirit of freedom had passed from the emperor to the magnates both of the Empire and the Church. When the sixteenth century arrived, it had reached the great mass of the people, and when it had spread amongst them, it gave rise to a thoroughly national movement, the result of which was the Reformation.

In the Empire, the greatest change was introduced in the two centuries following the thirteenth, by the growing power of the great electoral princes.[1] The Empire was, in fact, being accommodated to the German notions of limited monarchy. But when

(1) *Electors and College of Cardinals.*

[1] Leo VIII. had conferred upon Otto I., an. 963, the privilege of appointing his own successors in the empire, see Chap. V. Gregory V., an. 996, appears to have transferred this privilege from the emperor to the princes of Germany, including under princes all the bishops, dukes, and counts of the empire. The letter of Gregory VII. lib. iv. Ep. iii. an. 1076, LABBÉ, xii. 381, inviting a new election, is addressed 'Omnibus dilectis in Christo 'fratribus, et coepiscopis, ducibus, comitibus, universis quoque 'fidem Christianam defendentibus, in regno videlicet Teutonico 'habitantibus.' These princes appear to have continued to enjoy the right of election (the privilege belonging to all the ecclesiastical and lay feudatories of the empire) until the time of Innocent III. an. 1198; and Frederic II. was actually elected by this body in 1218. The Council of Lyons, however, under Innocent IV. June 1245, which deposed Frederic II., has a passage naming seven electors, viz.:

| | | |
|---|---|---|
| Laici | Dux Austriae. | |
| | Dux Bavariae. | |
| | Dux Saxonum. | |
| | Dux Brabantiae qui et Lovaniae. | |
| Praelati | Archiepiscopus Coloniensis | Principales. |
| | Archiepiscopus Moguntinus | |
| | Salzburgensis | |

It continues: 'Isti ducentur in insulam quandam Rheni, et dimit-'tentur soli in ea, et amovebuntur omnes naviculae, et ibi tracta-

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it had been thus accommodated, it resembled its ancient type in nothing else but in name, and in the dignity of an empty precedence which that name secured to its possessor. It was the German emperor, Frederic II., who first deprived it of its
A.D. 1220 & 1232 sovereignty, by his two Pragmatic Sanctions, and soon the great nobles of the Empire, the seven
1265 electors, as they are first emphatically called in a Bull of Pope Innocent IV., became almost independent sovereigns, encroaching on its privileges till hardly anything was left. By the Golden Bull of the Emperor Charles IV., the rights and privileges of these seven electors were fully settled, and themselves elevated
1356 to be a supreme tribunal in the Empire. To the Archbishop of Mainz was given the presidency of the electoral college. Next after him came the two Archbishops of Trier and Cologne. The first place

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'bunt de electione imperatoris. Nec adveniat aliquis ad eos, 'donec sint concordes. Huic negotio praeerit archiepiscopus 'Coloniensis, secundus Moguntinus, tertius Salzburgiensis.' The Electoral College of *Seven*, therefore, may be said to date from the Council of Lyons.

A change was made in its constituent parts either by Innocent IV., after the Council of Lyons, or by Alexander IV. before the year 1256. Martinus Polonus, living under Innocent IV., gives the following lines :

> Moguntinensis, Trevirensis, Coloniensis,
> Quilibet imperii sit Cancellarius horum.
> Est Palatinus dapifer, Dux [*Saxoniae*] portitor ensis,
> Marchio [*Brandenburgensis*] praepositus camerae, pincerna Bohemus,
> Hi statuunt Dominum cunctis per saecula summum.

See the discussion in LABBÉ, xi. 1022, ad an. 996, and THOMAS AQUINAS, *De Reg. Princip.* lib. iii. ch. xix.

among the secular electors was allotted to the King of Bohemia; the second to the Palsgrave; the two others to Saxony and Brandenburg. And, moreover, a recognised official position was assigned to each of the seven. The three prelates were arch-chancellors of Germany, Gaul, and Italy respectively; Bohemia, cupbearer; the Palsgrave, seneschal; Saxony, marshal; and Brandenburg, chamberlain. Thus was the tribunal permanently established, to which belonged the election to the Empire, but which, by imposing terms, and making conditions at every election, really set itself up as an authority above that of the emperor.

The rise and growth of constitutional principles in the Church were analogous. The College of Cardinals, first established by Nicolas II., anew confirmed by Alexander III., and raised to greater importance by Gregory X., acquired a controlling power on the Papacy after the death of Boniface VIII. That power arose not merely from the fact that the Popes feeling their political influence declining were obliged to fortify their position by consulting those to whom they owed their elevation; nor yet because to the cardinals much of the continually increasing business of the Roman Court was entrusted: but far more from the circumstance that many Popes secured their election, as did Clement V., by pledging themselves to a certain line of conduct. Thus power in a great measure passed from their own hands into the hands of the body which required the pledge. During the Schism it became the practice for the cardinals of both parties to impose stringent

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conditions on the whole college before proceeding to an election, and the Popes did not gain by not observing those conditions. The Council of Pisa was even convened by the cardinals without consulting the Pope; and in the corrupt days of the Italian Popes the conditions which were imposed by the college, but too often violated by the Pontiff, extended to the minutest points of ecclesiastical administration. If the emperor was reduced to the mere presidency of the Electoral College, the Pope fared little better with the College of Cardinals.

(β) *Diets and councils.*

If the College of Cardinals in the Church correspond with the Electoral College of the Empire, not less do the General Councils held in the fifteenth century correspond with the Imperial Diet, or rather with the Public Peace and Imperial Chambers. Established as these Chambers were, in 1495, to discharge the duties of preserving peace, and administering justice, which the diet from its technical composition—including electors, princes, and cities, but not the lower nobility and knights—was then less able to perform, they acted as a wholesome controlling power on the emperor, and were a counterpart to the General Councils which controlled the Pope. If General Councils exercised a greater influence over the Church than the diet and chambers did over the Empire (the Council of Constance combining by its representatives to elect Pope Martin V.), it must be remembered that learning advanced more quickly in the Church than in the State. When the representative system was coming into vogue, the Empire was already breaking up. Besides, the

whole theory of the Empire as a Roman institution was at variance with popular government. In fact, the subsequent development of parliamentary government in Europe after the virtual overthrow of the Empire, is a clear proof that the desire for representation was then working in the State as well as in the Church. It took more time to make itself felt in politics than in religion, its native field; but having once made itself felt, it has absorbed all other interests.

C. *Mutual influence of Church and State.* (1) *Influence of Church.* (*a*) *In making Empire elective.*

In these instances of parallelism between the Papacy and the Empire, more, perhaps, than in anything else, does the influence become apparent which each exercised on the other. In most of the Western nations, the practice of electing a successor to the throne—the election being, however, limited to the members of one family—had given place to hereditary succession. This was the case in England and Scotland, in France, Aragon, and Castile. In the Empire alone the practice of election survived; and there a free election, without any restriction as to family, finally prevailed. No precedent can be cited for this mode of appointing a sovereign from the history of ancient Rome; nor was a perfectly free election a Teutonic practice. The failure of male heirs in three successive dynasties may have had something to do with it; but more probably the real cause of it must be sought in the influence of the Church, in the idea of the Holy Empire, and in the attempt to make the lay head of the Imperial Church in all respects a counterpart to the ecclesiastical head of the same society. For the emperor was not

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merely a national king—or, as in other nations, the dignity would probably have become hereditary—but he occupied a place quite by himself above all other kings. No practices, therefore, of ordinary kings could apply to him. The only potentate who at all resembled him was the Pope.

*(b) Representative system.*

If the course adopted in appointments to the Papacy was the precedent followed in making the Empire elective, in like manner the representative system was taken from the ecclesiastical assemblies of the Church and introduced into political relations. In Germany the electoral princes had formed an Electoral League (Churverein) as early as the year 1338, the existence of which was recognised by the Golden Bull of Charles IV. in 1356. In France, the States General had been first convened by Philip the Fair in 1302 to oppose the pretensions of Boniface VIII.; they soon transformed themselves into a standing corporation. In England the representative system obtained in parliament from the year 1265. In all these cases the practice of representation was most likely borrowed from the practice of the ecclesiastical assemblies. In the case of Germany and France, it is noteworthy that this system was first called into exercise to oppose the extravagant pretensions of the Popes. As the Papacy lost its hold on the West, it perpetuated its institutions, and statesmen used what the Church had taught.

Another effect of the influence of the Church on society, may be found in the peculiar sanctity supposed to attach to the person of a king. Since the

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(*c*) *Sanctity attaching to monarch's person.*

age of the False Decretals the Pope and the clergy had been invested with a peculiar sanctity. A similar sanctity was now supposed to attach to the persons of kings and to princes who had been crowned by ecclesiastical authority. Whilst with one hand society was sweeping away the prerogatives of the Pope and the clergy, with the other hand it was investing political chiefs and princes with the same prerogatives. The old Herzog of the Germanic nations was a leader in war, belonging to a privileged family, who, in consequence, was said to be descended from the god of war; but he was after all one of the warriors. Now there grew up both in England, in France, and in Germany, around the person of the prince a kind of religious halo, which appears more prominently at the time of the Reformation. Without some such aid it would have been impossible to substitute Henry VIII. for the Pope, as head of the Church, nor would the divine right of kings have come into vogue. Still less would a monarch like Charles I. have been invested with the epithet 'most sacred.' How hard it seems for those trained up in the school of Greece and Rome to refrain from attributing divine attributes to persons and things!

In many ways, likewise, the Empire re-acted on the Papacy. In the first place, it fixed the limits and boundaries of its jurisdiction. Wherever the emperor was acknowledged, there the Pope was acknowledged also. Nations which showed a wavering obedience to the Empire, showed the same to the Papacy; over those which, like the Normans,

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were hostile to the emperor, the Popes could only assert authority, either by policy or by concessions. The chief ground, however, on which the rôle of the Papacy was played, was the same that had formerly been included in the kingdom of Charles—Germany, Southern Denmark, France, Lorraine, Burgundy, and Northern Italy. Hungary, since the days of Otto I., was more than hesitating to the Empire. It had been claimed as a fief by Gregory VII. England the Popes demanded on the same grounds, since its cession by John to Innocent III.; and Naples, since the Emperor Henry VI. had married the heiress of the Norman dynasty, thus acquiring all her rights by marriage. In proportion as the ties connecting these kingdoms with the Empire were relaxed, their submission to the Pope was correspondingly diminished. After the Interregnum, Denmark was free from the Empire; its connection with the Papacy was comparatively slight. France, independent of the Empire since the time of Otto the Great, but galled by the memories of its former dependence, was ever antagonistic to the Popes until they withdrew from Rome and established themselves at Avignon as her dependants. With their return to Rome, she again showed her independence, both beginning and supporting the Great Schism, and when the Schism was at an end, refusing any but a limited obedience on what were called Gallican principles. In England the Popes had to conciliate the early Norman kings by concessions, or those kings would have opposed the Pope, as William Rufus and Henry II. actually did,

because of their hostility to the Empire; still the Popes were successful in gaining the submission of Henry II. When Richard I. acknowledged the emperor as his lord,[1] the submission of John to the Pope soon followed. When Edward I. declared this realm free from all imperial sovereignty,[2] his successors only allowed a qualified allegiance to Rome by passing the statute of Provisors and Praemunire.[3] For the Empire re-acted on the Papacy; and the decline of the one produced the decline of the other.

(*d*) *Simony and provisions.*

Worse consequences than decline in power followed from the influence of the Empire on the Papacy. After the death of Frederic II., and the troubles which followed two rival claimants disputing the Crown, the pecuniary resources of Germany were crippled. Crown lands had been alienated and usurped; the *regalia* had fared no better; tolls, customs, mines, right of coining, and so forth, were either seized or granted away. The imperial treasury, which became poorer after each election, had come to depend on a traffic in honours and exemptions. The Popes were not slow to learn the same

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[1] HOVEDEN says: 'Consilio matris suae deposuit se de regno 'Angliae et tradidit illud Imperatori, sicut universorum domino.'

[3] See also the *Rotuli Parliamentorum temp. Eduardi*, part iii. p. 290: 'Que le dit Roi Johann ne nul autre purra mettre lui ne 'son Roialme ne son Poeple en tiele subjection saunz assent de eux, 'et comme piert par pluseurs evidences, qe si ce feust fait, ce feust 'fait saunz leur assent, et encontre son serment en sa coronation.'

[2] Edward II. according to SELDEN, *Titles of Honour*, part i. ch. ii., declared: 'Regnum Angliae ab omni subjectione imperiali 'esse liberrimum.'

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lesson. An inglorious traffic in benefices set in when their revenues had been reduced by absence from Italy at Avignon, and a reduced income was required to support two rival Popes. Ecclesiastical honours and ecclesiastical exemptions were sold. The Roman Court, more venal than any other, astonished the world by her simony. Moreover, the Popes contrived to do, what their less fortunate rivals, the emperors, were too weak to attempt, but what was practised by the kings of England and France, and frequently gave rise to many complaints. They imitated the prerogative of purveyance, though in a somewhat different form, and, instead of seizing the necessaries of life, carriages, horses, and the like, for the king's service, they seized the presentation to benefices and ecclesiastical offices before they were vacant, for the benefit of their own nominees.[1] The luxury of secular princes was surpassed by the luxury of the Popes; instead of leading to virtue, they followed to vice.

*(e) Bishoprics.*

If the Empire became elective, owing to the influence of the Church, it is not less true that bishoprics ceased to be elective, owing to the influence of the state. Bishoprics had been combined with feudal baronies. If ordinary baronies were conferred by the sovereign, why should ecclesiastical ones alone be exempted? So had thought among others the emperor and the kings of England; but the Popes had vindicated the independence of the Church, and the dispute about investitures and jurisdiction had

[1] See GIES. vol. iv. sec. 103, p. 83.

been settled by a compromise. That compromise, however, had been effected when the idea of the Holy Empire was supreme, and when both the secular and ecclesiastical powers concurred in substantially overthrowing the elective principle by preserving the decision of disputed elections for the emperor. The right was soon transferred to the Pope. John XXI. reserved to himself all the bishoprics in Christendom. Benedict XII. assumed the privilege of disposing of all benefices vacant by cession, deprivation, or translation. Clement VI. continued the same practice, and it subsequently became a permanent rule of the Roman Chancery. In the subsequent disputes which arose between the Pope and the kings of Europe there was little opportunity of reverting to the old elective principle. The importance of the lay element may be seen in the fact that votes were allowed to it at Constance and Basle. Obtaining, in most cases, the upper hand, it followed, in ecclesiastical matters, the policy most conducive to its own interests; and the Popes generally contrived to secure a portion of the privileges which they once enjoyed in return for lending their sanction to the encroachments of princes. Thus the Popes and the temporal sovereigns divided between themselves the spoils of the Church.

*(f) Taxation of the clergy.*

Moreover, the habit of raising money by taxation, which was the custom in civil relations, also passed into the service of the Papacy. The clergy had been obliged to contribute for the purpose of carrying on the crusades before the time of Innocent III., still Innocent III. was the first Pope who ventured to

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levy such a tax on his own authority, requiring it to be paid to his own collectors. His example was followed by Gregory IX., who taxed the English Church to carry on his crusade against the emperor Frederic II., and by Innocent IV. In France a tithe of the benefices had been granted by the Popes to St. Louis for each of his crusades, and in the year 1274, Gregory X. imposed a tax on all the Latin Church, also for the purpose of a holy war.

Taxation of the clergy, however, for the benefit of the Pope was a practice which grew up during the residence of the Popes at Avignon. John XXI. was the first who established the payment of annates, or one year's value of every living on the admission of a new incumbent, estimated according to a fixed rate in the books of the Roman Chancery. These exactions were an imitation of the world, and were encouraged by the kings of France, who participated in the plunder. Charles the Fair permitted John XXI. to raise a tithe of ecclesiastical revenues, and in return Clement VI. granted two-tenths to Philip of Valois for the expenses of the war. Even the ransom of John was provided by a tax levied on the clergy. But these exactions were not allowed to pass without opposition; and England, at that time engaged in a war with France, refused to allow herself to be taxed, or her benefices to be occupied by foreigners for the enrichment of the enemy. When remonstrances had proved unavailing, the

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Statute of Provisors was past, setting forth the encroachments of the Bishop of Rome, 'in granting benefices to aliens which did never dwell in England,

and to cardinals which might not dwell here, whereby, in a short time, there would scarcely be any benefice not in the hands of aliens and denizens, and goods without number would be carried out of the realm to the great damage of the people; in reserving archbishoprics, bishoprics, abbeys, and priories to himself, granting the same to aliens and denizens, and taking of all such benefices the first-fruits and many other profits;' in consequence of which grievances it enacts that the election of dignities shall be free, that patrons shall enjoy their rights, and that, in case of the Pope's transgressing this statute, the king shall have the right of presentation. The Popes had united with the temporal sovereigns to reserve benefices and to tax the clergy, but their avarice called forth the opposition of the laity.[1]

Not without a feeling of sadness can all these indications of the breaking up of the Holy Empire in the fourteenth and fifteenth centuries be witnessed; for that Empire was the grandest attempt ever made to realise a great and elevating idea. For a time, at least, Europe was united politically and ecclesiastically; all differences of race and origin were merged in membership in one common society—a society, indeed, which might almost seem to come up to St. Paul's ideal, making no distinction between barbarian, Scythian, bond or free, German and Spaniard, Italian and Pole; even French and English looked up to one august political sovereign as the representative of old Rome, and considered him their

[1] See the Statute of Provisors, Appendix IV.

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emperor, and looked up also to one holy ecclesiastical sovereign, and considered him their Pope. From Bavaria to Italy, from Bohemia to France, the emperor might ride; he might survey the whole of Europe, from the Baltic to the Pyrenees, from the German Ocean to the Danube, and the blue waters of the Mediterranean. Everywhere his dignity was acknowledged; everywhere, too, the dignity of the Pope was acknowledged. It was sad, therefore, to see so grand an institution decline; sadder still to see it give place to the petty rivalries and quarrels of sovereigns, whose dignity fades into nothing in comparison with the venerable grandeur of the emperor. But the saddest spectacle of all is it to see the sun of the Holy Empire setting in one glow of red in the alliance struck between Frederic III. and Nicolas V. After the death of Nicolas V., the Holy Empire itself may be considered to be at an end. Yet its destitute trunk lingered on for three centuries with just strength sufficient to produce in all the nations which sprung out of it imitations of the parent stock.

# CHAPTER XVIII.

## *CHURCH AND STATE IN ANTAGONISM.*

(1303—1515.)

*Regnum meum non est de hoc mundo.*—JOHN XVIII. 36.

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A. *Opposition to Papacy.*

WHILST the great ecclesiastical and political society of the Holy Empire was gradually breaking up during the fourteenth and fifteenth centuries, another process of gradual construction was simultaneously going on, which resulted in the Reformation. The idea of the Holy Empire had been that the Church and the Empire were identical, Church and State being only two aspects of one society; the theory of the Reformation was that Church and State were distinct bodies, but united for mutual help, their co-extensiveness being simply an accident. As the former theory was declining the latter was growing. As the former brings before us Church and State in union, so the latter brings before us Church and State in antagonism. As the influence of the idea of the Holy Empire may be traced in the parallelism of Church and State and the lingering mutual influence exercised by one on the other, so the preparation for the religious theories of the Reformation may be traced in the growing antagonism of Church and State. The old union

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of the two marks the remains of the Latin system; their antagonism, itself a new thing, points to the rise of a new power, the Teutonic spirit. It showed that the dominion of Rome was past; that a new dominion was about to succeed. It showed, too, that henceforth the influence of Rome was gone, and that the Church of Rome could only take her place as one among many other Churches; as co-ordinate not as supreme, however much her antiquity and her position as the Mother Church might entitle her to the place of honour.

(1) *Opposition of States-General.*

Nothing can serve as a better gauge of the assertion of the Teutonic spirit than the growth of Parliamentary Government. The representative part of Parliamentary Government may indeed have been borrowed from the Church; but to limit the despotic power of a sovereign by the expressed wishes of the people is a Teutonic and not a Latin institution. It is a matter of comparative indifference how the wishes of the people are ascertained, provided the fact of the limitation is well established. Moreover, the rise of Parliamentary Government implied the rise of national feeling, and hence, also, it involved a breaking away from the Empire, from the emperor as the political head, and from the Pope as the spiritual head, of society. Thus the first occasion on which the States General were convened in France was to protest against the pretensions of Pope Boniface VIII., the very Pope under whom signs of decline first appeared on the papal heaven.[1]

[1] See Chap. IX. p. 276.

Nor was it altogether an accident that in England the grant of the Great Charter was secured within two years after King John, by granting his kingdom in fee to Innocent III., had incorporated his realm in the papal empire,[1] waiving his claim to be a national sovereign. It seemed that the Pope had no sooner compelled an acknowledgment of the Holy Empire from the turbulent Normans,—those inveterate enemies of Germany, whom he had only attached to his cause by concessions—than the spirit of English nationality began to awake. For was not the scene at Runnymede an assertion of nationality against a foreigner,[2] when on the one side stood John, the sworn vassal of Innocent III., together with eight bishops and the papal envoy, on the other Fitz Walter and the great majority of the barons who presented the Charter? And was it altogether accidental that as the power and importance of Parliament increased in England after the fourteenth century, the power and influence of the Popes declined in proportion? The Parliaments of Edward III.[3] and Richard II.[4] supported Wycliffe against

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[1] See Chap. IX. p. 253. [2] See LINGARD, vol. ii. ch. v. p. 173.

[3] In 1366 the Parliament replied: 'Et outre ce, les Ducs, 'Countes, Barons, Grantz et Communes accorderent et garanterent 'qu en cas qe le Pape se afforceroit ou rien attempteroit par 'proces ou en autre manère de fait, de constreindre le Roi ou ses 'subgitz de parfaire ce qu est dit qu'il voet clamer cette partie, 'qu'ils resistront et contreesterront ove toute leur peussance.' *Rot. Parl. temp. Ed. III.*, p. 290.

[4] King Richard, at the request of his Parliament, October 10, 1389, forbade the bishops to levy the imposition which the Pope required of the clergy without the consent of the king and parlia-

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the Pope; that of Henry IV. proposed that, instead of a fifteenth being raised from the laity for the years in which Henry did not summon a Parliament, the burden should be laid on the Church. Even in the Empire itself the States General at Frankfurt were roused to declare that the papal sentence by which Benedict XII. thought to carry out against the Emperor Lewis IV. the extravagant assertions of the Bull of Clement V. was void,[1] and to resist the pretensions of the Papacy the first electoral league was concluded at Rense.[2]

(2) *Opposition of the Spirituales.*

The opposition of the laity, of which the rise of parliamentary government may be regarded as a fit exponent, was further fostered by an instrument which Rome herself had sanctioned for the purpose of consolidating her own power. The creation of the great Mendicant Orders in the Church bears a close resemblance to the creation of standing armies in civil society; and just as standing armies gradually superseded the feudal system of military service, so the growth of these Orders tended to throw into the background the ranks of ordinary clergy. With every standing army there is more or less of risk that it may refuse to obey its general, and side with the enemy; and although this danger is not likely to happen except in some great crisis, still it is a danger which may occur at any time, and which actually did

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ment. See RYMER ad an. In 1353 the Statute of Provisors was renewed against all who should introduce Bulls from Rome. In 1392 the Statute of Praemunire passed.

[1] See Chap. XIII. p. 428, and Chap. XIV. p. 451.

[2] See GIES. vol. iv. sec. 100, p. 54.

happen in the case of the Papacy. The Mendicants were raised up to be the spiritual standing army of the Pope.[1] But a part of the Franciscans, embittered by the attempts of successive Popes to suppress the literal observance of their rule, had separated themselves from the rest of their Order. Against these Franciscans—spirituales as they called themselves—John XXI. invoked the aid of the Inquisition;[2] and A.D. 1317 many of them choosing rather to be thrust from the Church than to depart from the literal fulfilment of their founder's wishes, under the name Fratricelli, swelled the motley ranks of heretical Beghards, diffusing the spirit of opposition to the Papacy, and opposing it as strongly as they had formerly been its champions. The opposition of the more moderate Franciscans increased when John XXI. characterised 1323 as heresy the teaching that Christ and his Apostles owned no common property.[3] With Michael of Cesena, General of the Order, at their head, a great portion of the Minorites forthwith betook themselves to the Emperor Lewis IV. By them the charge of heresy was preferred against John XXI., which so 1328 greatly weakened him in his struggle with the emperor, and from their number the antipope Nicolas V. was taken, whom Lewis established at Rome in the year 1328. These disputes between the stricter Franciscans, or Observants, and those who gave a laxer interpretation to the Rule, continued for the

[1] See Chap. XV. p. 472.

[2] See GIES. vol. iv. sec. 113, p. 148.

[3] The Bull of November 12, 1322 (quoted in GIES. vol. iv. sec. 113, p. 151).

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next three-quarters of a century, until the Council of Constance recognised the stricter party, and sanctioned their existence under the name of the Order of Brethren of the Rigid Observance.[1] The Observants had long been leading the van of popular opposition to the Papacy, and were therefore encouraged by the council, itself imbued with a kindred spirit of opposition.

(3) *Opposition of the Emperors.*

The attacks which the Papacy encountered at the hands of the Empire have been already noticed in the preceding chapters; nor were these attacks made without a cause. For although, like the Papacy, the Empire rested on a foreign source, yet the Empire had been gradually moulded into conformity with the German spirit, whereas the Papacy always continued to represent Roman imperialism. When the Empire had lost most of its distinctively Roman features, when it was little more than an elective dignity destitute of any greater power than the princes of the Empire possessed, in short, when it had become nothing but a German kingdom with the prestige of a venerable name, it still continued to found its claims to power on its descent from Rome. Herein lay its weakness. As a German kingdom, it might easily have headed the opposition of Germany to the Latin dominions of the Pope, and have been the representative of the Teutonic spirit in conflict with the Latin spirit, but then it would have ceased to claim this position as being the descendant of the Latin Empire. In opposing the Papacy, whilst

[1] Sessio xix. September 23, 1415, in LABBÉ, xvi. 297.

resting its own claims on its descent from Augustus, it acted inconsistently, and followed a suicidal policy. There may be a glow of lustre about the coronation of Frederic III. in the year 1452, but it is the last ray of the setting sun lighting up the heaven before darkness sets in. The Empire refused to renounce its connection with Latinism; it refused to become a Teutonic power; it wedded itself to the Papacy once more when its old claims were as obsolete as those of its rival were extravagant. The Union was an anachronism, and by it the German spirit which now surged against the Papacy, was directed against the Empire also.

(4) *Opposition of ecclesiastics.*

Viewed in this light, one and the same cause is seen to lie at the root of the opposition of the emperors to the Papacy, and of the opposition on the part of the clergy which manifested itself at the councils of Pisa, Constance, and Basle. The Popes, whose claims had grown more and more extravagant, stood there as the representatives of the Latin spirit, of the universal Empire of Rome. The influence of the Latin system over Europe had long been great; it had once been identified with civilisation and with Christianity; it had trained the Western nations as it were in their infancy and youth. The voice which came from the Fathers of Constance and Basle, and which Gallican writers re-echoed, was, however, the voice of manhood —of a manhood no longer needing the leading-strings of the old Latin system, but able to hold its own, and to bring the institutions of Europe into harmony with the German spirit. It was the voice of manhood eager for the battle. Pisa, Constance, and Basle

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were the preliminary skirmishes of the real fight which was fought by Luther at Wurtemberg and Leipsic. The Sees which sent the foremost prelates to those councils produced also the greatest champions of the Reformation.

B. *Opposition to the Hierarchy.* (1) *Originating from the Pope.*

The growing antagonism of Church and State was not confined to opposition to the Papacy alone. It appeared also in an opposition to the hierarchy. Strangely enough, this opposition had been, in the first place, caused by the Pope himself, and developed by the institutions of papal legates and the mendicant orders. In sending forth delegates to enforce his reformatory measures, Gregory VII. had dealt a blow at the authority of the secular clergy, by calling on the laity to despise the non-conforming clergy.[1] That blow had been followed up by another dealt by Innocent III. in establishing mendicant orders, who, enjoying valuable privileges, spread over Europe, the willing minions of the Popes, sometimes reforming abuses, at other times addicted to vice, supported by the papal authority, and everywhere stirring up the laity against the parochial clergy. The Bull of Alexander V. in 1409, which conferred unlimited privileges on the Mendicants, was the absolute annihilation of the prerogatives and pretensions of the regular hierarchy.[2] It completed the estrangement between the Regulars and Seculars. Henceforth each party sought to strengthen its position by an appeal to the laity; the Regulars incited the laity against the Seculars, the

[1] See Chap. VII. p. 199.

[2] See Chap. XV. p. 472.

Seculars attacked the Regulars; and the result which might have been expected followed; the hostility of the laity was aroused against both.

(2) *Regulars and seculars.*

In the struggle which was thus stirred up between the two branches of the clergy, the University appears as the great champion of the parochial or secular clergy. The Mendicants, who had gained a footing in the University of Paris in the middle of the thirteenth century, but not till after the memorable opposition lasting thirty years,[1] were required in the fifteenth century to submit to its authority as a condition of their being allowed to teach at all. All their attempts to make themselves independent were repelled. The Dominican, John Sarrazin,[2] was obliged A.D. 1429 to withdraw the statements that all orders of jurisdiction are derived from the Pope, that such orders are not of Divine right, and that the Pope's authority gives validity to the decrees of Councils; the Augustinian, Nicolas Quadrigarius, had to recant the opinion, that only the power of the Pope is derived 1442 immediately from Christ; the Franciscan, John Angeli, the assertion, that the Pope might if he pleased 1483 introduce a new code of right, or deprive an ecclesiastic of half the value of his benefice. In opposition to the pretensions of the Mendicants, a theory grew up in France, and was there stoutly upheld, that the parochial clergy derive their spiritual authority not from the bishops, but as the bishops themselves,

[1] See GIES. vol. v. sec. 141, p. 35.

[2] D'ARGENTRÉ, *Collectio judiciorum de novis erroribus*, book i. ch. ii. p. 227; in GIES. vol. v. sec. 136, p. 434.

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through the institution of Christ. Gerson, the Chancellor of the University of Paris, who distinguished himself in his endeavours to heal the Schism,[1] and was the leader of the Gallican party at Pisa and Constance, asserts, that according to Christ's institution there are two orders of parochial clergy, the lesser and the greater, to both of which belongs the right to preach, to hear confessions, to administer the sacraments, and to bury the dead; that the condition of the parochial clergy corresponds to that of the seventy-two disciples in the Gospel; that they were prefigured by the Levites in the old dispensation, and were accordingly instituted by Christ and his Apostles; and that they are quite as essential a part of the hierarchy as are the prelates in episcopal orders. Out of France, this theory was not even sanctioned by all the liberal canonists; but in France it was supported by the University, and the support of the University gained for it the support of Parliament.[2] Thus, in France at least, the Seculars were in some measure protected against the encroachments of the Mendicants. In England the University of Oxford, always closely connected with that of Paris, was involved in a similar struggle with the begging Friars, and the hostility which the latter displayed towards the parochial clergy was the occasion which first aroused Wycliffe boldly to denounce the corruptions of the Mendicants.

C. *General opposition.*

The growing antagonism between Church and

[1] See GERSON, *De potest. eccl. consid.* xi. *Opp.* ii. p. 243.

[2] See GIES. vol. iv. sec. 108, p. 128.

State appears moreover in the curtailment of ecclesiastical jurisdiction, and the restrictions imposed on the acquisition of property by the Church. Since the time of the Emperor Henry V. ecclesiastical jurisdiction had advanced with rapid strides, until the Papacy of Boniface VIII. It seemed at one time to threaten all secular jurisdictions with extinction. The number of persons entitled to the privileges or benefit of clergy was increased by the indiscriminate use of the tonsure, which was extended to orphans and widows, to strangers and the poor, to pilgrims and lepers; and the whole body of Crusaders enjoyed the same privileges. Moreover, cases belonging to the cognisance of the ecclesiastical courts were increased by breaches of contract being brought before spiritual tribunals, and questions involving perjury, adultery, sacrilege, usury, incest, being referred to them. Besides this extension of jurisdiction, the clergy secured to themselves absolute immunity from the criminal justice of the state, a privilege which they always claimed, but which was more or less admitted according to the strength or the weakness of the secular authorities.

*sition to the Church.*

(1) *Curtailment of ecclesiastical jurisdiction.*

From the beginning of the fourteenth century, however, these privileges began to be curtailed by the laity. The jealousies between the ecclesiastical and secular tribunals began more and more to result in favour of the latter. The Emperor Louis IV. prohibited the bringing of civil causes before ecclesiastical courts as early as the year 1318.[1] The

(*a*) *In the Empire.*

[1] In GUDENI *Sylloge dipl.* p. 487 (quoted by GIES. vol. iv. sec. 108, p. 122).

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prohibition was repeated in the privileges of Frankfurt. The Golden Bull of Charles IV.—an emperor otherwise most subservient to the Popes—enacts, that in default of justice,[1] causes should be brought before the imperial court, from which no appeal shall lie to any other tribunal. During the Schism and the weak rule of the Emperor Wenceslaus, the decisions of the temporal courts against the higher clergy could only be enforced by violent measures;[2] but concessions were also made to the nobles to secure their support. Among other instances of the kind, Boniface IX. granted the jus primarum precum to the Duke of Austria, in 1399.[3]

(*b*) *In Switzerland and France.*

In Switzerland, the law called the Pfaffenbrief was enacted in 1370, prohibiting the employment of the ban in case of debt and other secular matters, and forbidding clergymen to repair to foreign courts whether ecclesiastical or temporal. In France, where ecclesiastical jurisdiction had reached its greatest extension, the kings, finding it a useful instrument to strengthen their own weakness, were disposed to favour it. By the barons, on the other hand, it was constantly assailed, and from the time of Charles V. it was kept within bounds by the

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[1] Cap. xi.: 'In defectu vero justitiae praedictis omnibus ad 'imperialem duntaxat Curiam et tribunal, seu judicis immediate 'in imperiali Curia pro tempore praesidentis audientiam, et etiam 'eo casu non ad quemvis alium judicem sive ordinarium sive 'etiam delegatum, his quibus denegata fuerit justitia, liceat appel-'lare.'

[2] See GIES. vol. iv. sec. 108, p. 123.

[3] See the documents in KURZ, *Oesterreich unter Herzog Albrecht IV.*, part i. p. 185.

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Parliament to such an extent, that points which in that age were universally held to be ecclesiastical were drawn under the cognisance of the Parliament.[1] France, in short, no less than Germany and Switzerland, showed an increasing tendency to impose limitations on ecclesiastical jurisdiction.

(c) *In England.*

Nor was England an exception to the rule. There, since the memorable attempt to gain the assent of Thomas à Becket to the Constitutions of Clarendon, and the no less memorable humiliation of Henry II., ecclesiastical power had enormously increased. With the reign of Henry III. the tide turned. Even an archbishop acknowledged, under Edward I., the right of the Court of King's Bench to issue prohibitions; and the Statute Circumspecte agatis, passed A.D. 1284 in the thirteenth year of the reign of that prince, was so interpreted by the judges as to refer questions respecting rights of advowson and temporal contracts to the secular jurisdiction, these not being distinctly enumerated among the privileges of the Church.

[1] Parliament maintained its right to take cognisance 'de omnibus causis ecclesiasticis possessoriis.' PREUVES, ch. xxvi. No. 1. When the Archbishop of Bourges, in 1369, had passed some decrees at a diocesan synod removing the clergy from secular jurisdiction, the Duke of Berry came forward as the king's lieutenant and published a decree: 'Quod dictus Rev. Pater postmodum sufficienter informatus et certioratus, dictas suas constitutiones et statuta dictae jurisdictioni temporali et dictae Bituricensis patriae usibus et consuetudinibus existere contrarias . . . in nostri praesentia sponte revocaverit et totaliter adnullaverit, et insuper nobis promiserit dictam adnullationem et revocationem in sua proxima futura Bituricensi Synodo in personis dictorum Curatorum dictae suae dioeceseos fieri, facere, publicare,' etc. Accordingly he is released from all punishment and displeasure.

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How changed were the times since the Bishop of Winchester had ventured to assert that the election to the throne lay with the Bishops! The laity were rising against the foreign jurisdiction of the clergy. German nations were throwing off the fetters of the Roman law, substituting in its place a law of their own creation. The Teutonic spirit was asserting itself against the Latin spirit.

(2) *Prohibition of gifts in mortmain.*

The restriction of donations of land to the Church, which succeeded about the twelfth century to the lavish grants of the five preceding centuries, is another instance illustrating the same change of position. The Emperor Albert had granted to Ulm in 1300, to Augsburg in 1306, the privilege that all fresh acquisition of property by the Church should be alienated again in a year and a day. Heilbronn, Ratisbon, Cologne, and Brunswick, following the example of these cities, either passed similar laws on their own authority, or obtained them in the form of privileges from the emperor.[1] In other cities—in Lübeck, Vienna, Wismar, and Ribnitz—neither houses nor plots of land were allowed to be bequeathed to the clergy; and although Charles IV. endeavoured by an ordinance of the year 1377 to annul all these statutes and privileges, they still continued to be observed—a striking testimony to the declining power of the Church.

1158 The enactment of Frederic Barbarossa that no fief should be transferred to the Church without the

1279 permission of the superior lord, that of Edward I.,

[1] GIES. vol. iv. sec. 108, p. 123.

commonly known as the Statute of Mortmain, the Constitutions of St. Louis in France, the Code of Castile, and all the statutes of a similar kind in other countries, intended, as they no doubt were in the first place, to protect the superior lords from losing reliefs upon succession and dues upon alienation, would nevertheless hardly have been passed, if the respect for Rome and her institutions had been as great then as in the ninth century. Since that century, however, the feudal system had grown to completeness; and whilst there was in it much which was borrowed from Rome, there was also in it much that was peculiar to the Western nations. From the latter had come the practice of paying heriots and fines; and the fact that heriots and fines were retained when other parts of the feudal system gave way, is evidence of the victory of the indigenous over the foreign elements. If Teutonism was ever really to overcome Latinism, it was before all things necessary that all land should not pass into the hands of the Church and be held under her tenures. Self-interest may have been the ruling motive of those who passed the Statutes of Mortmain; still the passing of such statutes in the face of Latin opposition, is of itself an evidence of the growing power of the Teutonic spirit, and the nobles generally succeeded in making them observed when they had once been passed.

Thus everywhere symptoms began to manifest themselves of a coming crisis. The Holy Empire was breaking up in Europe. The Eastern Empire had fallen in Asia. Institutions reaching back to the dawn of civilisation among the Western nations

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were being assailed. The old order was passing away; a new order was arising. A new world was being discovered in the West beyond the ocean, hitherto supposed to be the limit of all things. New ideas were being diffused throughout Europe by the Greeks escaped from the Turks in the East. New nations were coming into the foreground, not possessing the vague and undefined character of the tribes of the Empire, but clearly marked off from each other, and actuated by no friendly feelings towards each other. New languages were being formed and employed for literary purposes. The Latin tongue, the language of the Empire, was giving place to English, German, French, Italian, and Bohemian, as the languages of the people; men soon demanded to have them as the languages of the Church. The dominion of Latinism was at an end, as the disuse of Latin, as the spoken language of cultivated Europe, indicated; and even a slight knowledge of that tongue was soon to be a thing for the favoured few. The gaze of the world was turned away from the past; it was directed to the future. Who can look back on the fourteenth and fifteenth centuries without sharing the newly awakened enthusiasm of the Teutonic races for their own future? but who can look back without also feeling a pang of sympathy with the declining greatness of the Mediaeval Empire?

# CHAPTER XIX.

## *NATIONAL REACTIONS AGAINST THE LATIN SYSTEMS.*

*Illa autem quae sursum est Jerusalem, libera est; quae est mater nostra.*—GAL. IV. 26.

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WITH the antagonism between Church and State already showing itself in so many ways, some great results could not fail to appear, even before the crisis of the final separation arrived. For after the Latin spirit had for centuries reigned supreme in the West, the independent assertion of the Teutonic spirit, in any form and shape, was of itself a novelty; and, as being such, provoked opposition and hatred. Even before the united forces on either side were marshalled one against the other, as they were at the Reformation, many skirmishes took place on the outposts; and if, in some of the earlier encounters, the newly awakened spirit, hitherto unaccustomed to contend against Rome, succumbed, still these partial and preliminary defeats, far from being indications of the issue of the coming fight, only served to enkindle fresh zeal. After all, the day of Latin Christianity was over; its champions were chiefly mercenaries.

A. *In England.*

That spirit of national independence which had already shown signs of existence in the time of King

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John, by securing the Great Charter—at once a protest against the treatment of England as a mere dependance of Normandy, and its reduction to a fief of the Holy See—had not been crushed during the early years of the reign of Henry III. During the latter years of that prince, the smouldering zeal burst into a flame against the tyranny of a Norman king and his barons; and that with such success that thenceforth Parliamentary Government was an established thing in the body politic. Soon it was destined to burst forth again against the tyranny of a foreign ecclesiastic. The residence of the Popes at Avignon had exposed the way in which ecclesiastical pretensions were made subservient to political ends, and, by exposing them, had led, in England, to a suspension of the payment of the annual tribute to Rome.[1] It had been followed by the enactment of the Statute of Provisors against the encroachments of the Popes.[2] A greater reaction

[1] In 1332. The payment was applied for by Urban V. in 1365. See RYMER, No. 13.

[2] See a list of the steps taken by the English in GIES. vol. iv. sec. 103, p. 90. The Statute of Provisors passed in 1353 enacted that whoever should bring any cause which belonged to the king's jurisdiction before a foreign tribunal, or appeal from the former to the latter, should be summoned to answer the charge: 'Et sils ne 'riegnent mie au dit jour en propre persone de estere a la lei, 'soient ils, lour procuratours, attournez, executours, notairs et 'meintenours, de cel jour enavant mis hors de la protection le 'Roi, et lour terres, biens et chateux forfaitz au Roi, et soient lour 'corps, ou qils soient trovez, pris et emprisonez et reintz a la 'volunte le Roi, et sur ce soit brief fait de les prendre par lour 'corps, et de seisir lour terres, biens et possessions en la main le 'Roi, et si retourne, soit qils ne sont mie trovez, soient mis en 'exigend et utlaghez.' See Appendix IV.

was yet to ensue, calling forth the national spirit yet more strongly, leading to the passing of new statutes, and preparing the way for the popular movement completed in the sixteenth century.

In the University of Oxford, then as since the cradle of so many political and religious changes, the reforming movement began; and the individual who is named as leading the movement was John of Wycliffe, a native of Yorkshire, distinguished no less by his practical and political turn of mind than by his adherence to, and championship of, realism in philosophy. Private motives may have made him already ill-disposed to the Papacy, his appeal to Rome to be restored to the headship of Canterbury Hall, from which the archbishop had deposed him, having been indefinitely protracted;[1] and to these private motives now came his patriotic feeling, when Pope Urban V. demanded the quit-rent, the payment of which had been introduced by King John, but had been suspended since the outbreak of the war with France.[2] The payment indeed of that quit-rent was more than an ordinary admission of the Pope's ecclesiastical supremacy. It involved also the recognition of England as a part of the Holy Empire, as a fief of the Papacy. No wonder therefore that, as the feeling of nationality rose, the

[1] The editor of *Fasciculi Zizaniorum*, the late Canon SHIRLEY, rejects the current account that the reformer is the same person as the warden of Canterbury Hall. See the volume in the Master of the Rolls' series, p. 528.

[2] This was in 1365. See RYMER ad an. and GIES. vol. iv. sec. 125, p. 243.

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impost became more and more distasteful. Hence, just as in France the States General refused to accede to the demands of Boniface VIII., so the English Parliament bid defiance to the demands of Urban V. It may seem a strange coincidence, but still it is one worth remarking. A dispute respecting a question of money ushered in the first measures of the political reformation in England, under Wycliffe. A money bill in the House of Convocation completed the political Reformation of the Church under Henry VIII., substituting the king as supreme governor of the Church in place of the Pope.

(1) *The earlier movement national.*

(*a*) *National reaction against the Papacy.*

It is a point often too much overlooked that the Reformation was in England originally a political movement. Unlike the earliest reformers in Bohemia, Militz of Kremsia and Conrad of Waldhausen; unlike the Beguins, Beghards, and Waldenses in Central and Southern Europe, Wycliffe began his work as the supporter of the sovereign and people against the Pope. Cranmer's case, under Henry VIII., was nearly analogous. With Wycliffe politics came first, moral and doctrinal changes followed afterwards; and the course which Wycliffe struck out has been followed by those who came after him. Do not the pages of the English Reformation ever show morality and doctrine subordinated to political considerations? Little could Pope Urban V. have imagined when, in the year 1365, he demanded the customary quit-rent of a thousand marks, which had been unpaid since the breaking out of the war with France, and when the English Parliament refused to pay it, that he was raising a controversy which

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would not end with his life, nor indeed until England had shaken off the papal yoke altogether, and driven back the wave of Roman dominion. Still less could he have divined that he was splitting the country into rival factions, whose disunion would survive the Reformation, and would not end even then, but would continue to distract the world, as it does now. The gauntlet was, however, thrown down. Both parties prepared themselves for the contest. On the side of Urban V. were the Mendicants and the Italian ecclesiastics. On the side of the nation were the Parliament, the University, and Wycliffe.

*(b) Wycliffe attacks the Papacy.*

The struggle between England and the Pope, which commenced under Urban V.—the very Pope who, to signify his unbounded supremacy, first adopted the triple tiara—continued to distract the country under his successor in office. An effort was, it is true, made to check the oppressive acts of the Roman court, by negotiations with Pope Gregory XI., and an embassy, consisting of seven persons, was dispatched to Bruges to confer with the papal nuncios; but the effort proved abortive. Wycliffe was one of the ambassadors. The embassy accomplished but little, owing to the self-seeking of some of the English prelates. Nevertheless it led to one result. Wycliffe returned, imbued with the firm conviction, to which a more intimate knowledge of the Roman Chancery, its corruptions and intrigues, had brought him, that the Papacy had not its origin in Divine right; that the Church stands in no need of a visible head. He even went so far as to call the Pope 'antichrist,' 'the proud wordly priest of Rome,' 'the most cursed of clippers

A.D. 1374

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and purse-kervers.'[1] Disgusted with the cupidity and assumptions of the Roman prelates, his disgust spread from discipline to doctrine. The teaching of the Roman Church was now assailed, and before two years had elapsed, he had denounced the Mendicants as the chief promoters of superstition, the bishops as satraps sunk in worldliness, the beneficed clergy as dancers, hunters, hawkers, or wild players of summer gambols; and whilst he had gained the support of a great body of laity, among others, of the Duke of Lancaster, he had also raised up many fierce enemies, and drawn down the papal condemnation of nineteen propositions declared to be heretical.[2] In fact, what else could the Pope do

[1] LEWIS, *Life of Wycliffe*, p. 32 *seq.*

[2] Among them are the following, quoted by GIES. sec. 125, from WALSINGHAM, p. 201 : '1. Totum genus hominum concurrentium citra Christum non habet potestatem simpliciter ordinandi, ut Petrus et omne genus suum dominetur politice imperpetuum super mundum. 6. Si Deus est, domini temporales possunt legitime ac meritorie auferre bona fortunae ab Ecclesia delinquente. 7. Numquid Ecclesia est in tali statu vel non, non est meum discutere, sed dominorum temporalium examinare, et posito casu confidenter agere, et in poena damnationis aeternae ejus temporalia auferre. 8. Scimus, quod non est possibile, quod Vicarius Christi pure ex bullis suis, vel ex illis cum voluntate et consensu suo et sui Collegii quenquam habilitet vel inhabilitet. 9. Non est possibile hominem excommunicari, nisi prius et principaliter excommunicaretur a seipso. 13. Discipuli Christi non habent potestatem coacte exigere temporalia per censuras. 16. Hoc debet catholice credi : quilibet sacerdos rite ordinatus habet potestatem sufficienter sacramenta quaelibet conferendi, et per consequens quemlibet contritum a peccato quolibet absolvendi. 19. Ecclesiasticus imo et Romanus Pontifex potest legitime a subditis et laicis corripi et etiam accusari.'

but condemn a theologian who attacked the Papacy with such naked propositions as that 'no political and temporal power has been bestowed in perpetuity on the Pope and the prelates;' that 'those who persevere in righteousness have not only the right to possess, but to enjoy all earthly things;' that 'when the Church falls into corruption, secular lords have the right to deprive her of the temporal goods which she abuses;' that 'every prelate and also the Pope, when he is wrong, may be accused, judged, and imprisoned by his subjects, even laymen;' that 'only a just excommunication, in accordance with the law of Christ, and none at variance with that law, is binding;' that 'not even God Himself can bestow on any man an unconditional power to bind and loose;' that 'Christ gave the Apostles no power to excommunicate on account of secular things;' and that 'every priest regularly ordained has power to administer all the sacraments?' Undoubtedly these propositions struck at the root of the whole Mediaeval Church. Do they not even, if consistently carried out, strike at the root of any kind of ecclesiastical society? Are they not subversive of all regular government?

*(c) Wycliffe appeals to reason, but submits to the Church.*

If further proof were needed to show that Wycliffe's earlier endeavours aimed at reforming the hierarchical system rather than the teaching of the Church, his conduct may be appealed to, when he was summoned to answer at Lambeth for the nineteen articles condemned by the Pope.[1]

[1] See the three Bulls of Pope Gregory XI. in 1377, RAYNALD,

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A.D. 1378 ne, 1378

Pressing through the dense crowd which had gathered about the doors of the court at Lambeth, expressing their sympathy with one who was regarded as the champion of independence, Wycliffe presented himself before the Archbishop of Canterbury, William Courtney, gave an explanation of the propositions laid to his charge, and submitted himself to correction by the Church in all cases of detected error, protesting against the imputation of being obstinately bent on defending anything erroneous.[1] Still believing that the Church had reason on her side, to reason he appealed, in requiring his errors to be refuted; and thus, like many later reformers, little aware of the suicidal policy he was pursuing, he invoked an instrument most dangerous in the hands of the unlearned; failing to perceive that while one man's reason might approve of his conduct, another man's reason would approve of the conduct of his judges.

(2) *The later movement devoted to general reforms.* A.D. 1378–1384 (*a*) *Poor Priests.*

The breaking out of the Great Schism gave a fresh impulse to Wycliffe's zeal for reforms; and henceforth his attacks on doctrine were quite as severe as they had been on discipline. His society of 'Poor Priests,' who went about barefooted in long robes of russet colour, aspiring to follow the Apostolic Church literally, and refusing to take benefices lest they should be thereby withdrawn from better employments, had by this time been established, and it had met with considerable favour. Gregory XI.,

tom. vii. No. 4, p. 294, and in documents in Suppl. tom. iii. to LABBÉ, p. 646 *seq.*

[1] NEAND. ix. 201.

who had condemned the nineteen propositions, was dead; and the sight of two rival Popes, one of whom must be antichrist if the other were the Vicar of Christ, exposed to the English Reformer, as they did to others, the hollow ungrounded pretensions of the Papacy. A summons was addressed to the secular powers calling on them to avail themselves of this favourable time for the Reformation of the Church. The Poor Priests went out to expose the pretences of the begging friars; the Bible was translated, 'the gospel being by him laid more open to the laity and to women who could read, than it had formerly been to the most learned of the clergy;' but in this way, too, according to the view entertained by the better class of clergy, 'the gospel pearl was cast abroad and trodden under feet of swine.'[1] No sooner, however, did Wycliffe leave the matter of a reformation in discipline and ecclesiastical organisation, and allow himself to make innovations in doctrine, than the tide turned against him. England would not substitute a new Pope in the person of Wycliffe for the old one it had lost in Gregory XI.; the appeal to private judgment was as yet a tantalising fallacy for those who had not sufficient theological education to enable them to make the appeal with advantage; nor was the time yet come in which a European council could be held, to deliberate upon reformation of doctrine. Wycliffe's influence began to decline almost as rapidly as it had risen.

*(b) Translation of Bible.*

[1] See KNIGHTON, *Chronica de eventibus Angliae in Hist.-Angl. Scrip. Aul.*, tom. ii. London 1652.

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(c) *Transubstantiation denied.*

The value which has in modern times been attributed to Wycliffe's denial of the doctrine of transubstantiation in a religious point of view appears to be greatly exaggerated. For it was as a philosopher rather than as a theologian that he denied the change of one substance into another. The English type of mind has a natural affinity for materialism in philosophy, just as the German type of mind has a natural affinity for Idealism. The same controversy which in later times has stamped the English philosophy as materialistic, and the German as idealistic, already divided the two nations in the fourteenth century. England, together with Bohemia, supported Realism; the Germans upheld Nominalism and Conceptualism. To Wycliffe, as a staunch Realist (and in his earlier years he had written a treatise 'On the Reality of Conceptions'), and to other Realists like himself, it seemed absurd to separate substance from its accidents.[1] No such difficulty would, however, have been felt by a Nominalist. The latter might have asserted that substance is merely a name given to an idea, which has no existence except in the mind of the thinker, whereas accidents or properties are things actually perceived by the senses; and an Idealist would have no difficulty in separating a pure idea from the sense-impressions which encrust and externalise it. But a Realist cannot distinguish between a thought and a thing, since to his mind there is between them only a difference of degree. As Wycliffe could not allow

[1] See NEAND. ix. 206.

that there can be any idea which has not a real independent existence, he might easily ask 'how the subject-matter could be altered in the Eucharist without the qualities being changed as well, or how the substance could be changed without a sensible change in the properties.' Other Realists bridged over the difficulty—a difficulty which Conceptualists or Nominalists did not feel—by calling the sensible properties of the bread and wine accidents; Wycliffe, whose subtler philosophic training led him to see the shallowness of this explanation, refused to do so, and, on the contrary, denied the change of substance. But this denial was the triumph of philosophy; it turned on a point quite beyond the comprehension of the uneducated. It must have been approved by the many from a taste for incipient rationalism to save a philosophic system. It was a theory which sacrificed a current religious belief. It was the putting forward of reason against authority; and thus Wycliffe was the forerunner of rationalistic opposition against the Church. To the cotemporaries of Wycliffe, the denial of transubstantiation commended itself just as little as rationalism now does to those who are most sincere in their opposition to the Papacy. It made Wycliffe's position henceforth a suspected one. Another event soon happened which rendered his position still more critical.

A.D. 1381 *(d) Insurrection attributed to his teaching.*

About the year 1381, there broke out among the labouring classes an insurrection headed by John Balle, chaplain to the archbishop, and Wat Tyler, its object being to kill the rich, and to re-divide all property. Aimed directly at the

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higher orders, as appears from the well-known text upon which its adherents preached—

> When Adam dalfe and Eve span,
> Who was then a gentleman?

this insurrection may have been caused by the dislike still felt among the Saxon peasants for their Norman conquerors—a dislike which the licentiousness and oppression of Edward III.'s reign had intensified, and which had been brought to a head on the occasion of the preaching of the Poor Priests. Certain it is that Wycliffe and his Poor Priests were not directly the cause of it, although there was, no doubt, much of a levelling character in their teaching. Their tenet, too, that the right to enjoy property depends upon grace, was politically most dangerous. Nevertheless, to the enemies of Wycliffe the insurrection came most opportunely; it was set down as the result of his teaching, and the new Archbishop of Canterbury, William Courtney, whose predecessor, Simon Sudbury, had been murdered in the insurrection, proceeded vigorously against him. Censured by the University, Wycliffe appealed to Parliament.[1] He prayed that all persons should be left free to adopt without molestation the law of Christ alone; that all who had unreasonably condemned the whole counsel given by Christ, should be corrected on account of so gross an error; that tithes and oblations should be given and devoted to the end which God's law had determined; and that Christ's doc-

*(e) Wycliffe's doctrines condemned.*

[1] Lewis' *Life*, p. 84.

trine of the Holy Supper should be publicly taught in churches.

A.D. 1382

But this appeal appears to have been of little use. On May 17, a council was convened at London [1] by Archbishop Courtney, which, owing to its proceedings being interrupted by an earthquake, Wycliffe derisively called the Earthquake Council. A number of Wycliffe's propositions referring to the Lord's

[1] See the Acts, LABBÉ, xv. 951. The council condemned ten conclusiones haereticae and fourteen conclusiones erroneae. Among the former are these: '(1) quod substantia panis materialis et vini maneat post consecrationem in sacramento altaris; '(2) quod accidentia non maneant sine subjecto post consecrationem in eodem sacramento; (3) quod Christus non sit in 'sacramento altaris identice, vere, et realiter in propria praesentia 'corporali; (4) quod, si episcopus vel sacerdos existat in peccato 'mortali non ordinat, conficit, nec baptizat; (5) quod si homo 'fuerit debite contritus, omnis confessio exterior est sibi superflua 'et inutilis; (6) pertinaciter asserere non esse fundatum in evan'gelio, quod Christus missam ordinaverit; (7) quod Deus debet 'obedire diabolo; (8) quod si Papa sit praestigiator et malus 'homo, ac per consequens membrum diaboli, non habet potes'tatem supra fideles Christi ab aliquo sibi datam, nisi forte a 'Caesare; (9) quod post Urbanum VI. non est aliquis recipien'dus in Papam . . .; (10) asserere, quod est contra scripturam, 'quod viri ecclesiastici habeant possessiones temporales.' Among the latter are these: '(1) quod nullus praelatus debet aliquem 'excommunicare, nisi prius ipsum sciat esse excommunicatum a 'Deo; (5) asserere, quod liceat alicui, etiam diacono vel presby'tero, praedicare verbum Dei absque auctoritate sedis Apostolicae 'vel episcopi catholici; (6) asserere, quod nullus est dominus 'civilis, nullus est episcopus, nullus est praelatus, dum est in pec'cato mortali; (8) quod decimae sint purae eleemosynae, et quod 'parochiani possint propter peccata suorum curatorum eos deti'nere, et ad libitum aliis conferre; (9) quod speciales orationes 'applicatae uni personae . . . non plus prosunt . . . quam gene'rales orationes; (13) quod fratres teneantur per laborem manuum 'et non per mendicationem, victum suum acquirere.'

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Supper, to the limits of the ecclesiastical and the civil power, to the duties of a clergyman, to the secularisation of the Church, and to the papal dignity, were here condemned; and King Richard II. was induced by the archbishop to issue a command, ordering all persons who taught Wycliffe's doctrines to be placed under arrest, and to address letters patent to the Chancellor of the University, by virtue of which Wycliffe was expelled from its precincts, and retired to Lutterworth.

(3) *The national movement after Wycliffe.*

A.D. Dec. 30, 1384

(*a*) *Statutes under Richard II.*

The two last years of Wycliffe's life were spent in retirement at Lutterworth, where he died in peace on Sylvester Eve in the year 1384. Yet, after his death, and during the whole reign of Richard II., the opposition to the Papacy, which he had headed, continued to go on. In 1389 the bishops were forbidden to levy the imposition required by the Pope from the clergy without the consent of the King and Parliament; and in 1392 the Statute of Praemunire was passed, renewing the enactments of the statute of 1353 against all men who endeavoured to obtain at the Roman Court translations, processes, or sentences of excommunication, and asserting the freedom of the crown of England from submission to the Pope and its immediate dependence on God only.[1] Indeed, this statute was greatly needed at the time, since the French king and the Emperor were both intriguing to put an end to the Schism, and each hoped to raise up a minion Pope to serve his own private ends. Thus, in England first the antagonism be-

[1] See Appendix II. p. 462.

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tween Church and State was developed to an open rupture. At its root lay, no doubt, the growth of national feeling and the assertion of Teutonic freedom; but it was occasioned by the political degradation of the Popes at Avignon, and a fear lest France might use the Pope as an instrument of political dominion. After first appearing openly in England, it was there soon afterwards suppressed under the reigns of Henry IV. and succeeding sovereigns, until that of Henry VII.; not because the Teutonic spirit of independence was under those sovereigns less active in England than before, but because the House of Lancaster was obliged to conciliate the hierarchy with the view of obtaining its support for the throne which it had usurped. When at length, after eighty-seven years of domestic trouble, the rival claims of the Houses of York and Lancaster were adjusted by the marriage of Henry VII. with the heiress of York, then the antagonism between the Latin and the German spirit again manifested itself, this time resulting in an absolute and final rupture with the Pope. No very long time elapsed before this event came about; the circumstances of the reign of Henry VIII. supplied the occasion.

*(b) The movement in abeyance under the House of Lancaster.*

A.D. 1399–1486

Nor was the antagonism between Church and State, which the Wycliffite movement brought to light, confined to England. In Bohemia it was also active, and produced in that country a similar political reformation. To this reformation neither Militz of Kremsia nor Conrad of Waldhausen—the earliest Bohemian reformers—properly contributed. Their

B. *Political reformation in Bohemia.*

(1) *The movement a national movement.*

1391–1408

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(a) *Begun by Janow.*

efforts were directed more towards reforming morals and doctrine than towards throwing off the yoke of the Latin system. It is otherwise with Mathias of Janow, sometime a prebend of Prague,[1] whose treatise *De regulis veteris et novi Testamenti* has come down to us. It is otherwise with John Huss and Jerome of Prague. Busied not only with moral reforms, but with a reformation of the corrupt Latin system, Mathias of Janow speaks of the organism of the Church as one in which all the members should be connected according to their several ranks, and co-operate together like the head and members in the human body.[2] He then goes on to complain how the Popes had haughtily exalted themselves above the bishops and taken all power into their hands; how, closely allying themselves with kings and princes, they had exalted themselves above those who jointly with them ought to preside over the governance of the Church. Like Wycliffe, he insists on the importance attaching to parish priests; like Wycliffe, he died in peace in the year 1399; and, like Wycliffe, his teaching re-acted on his successors, and raised up a train of similar reformers in Bohemia, at the head of whom must be placed the known name of John Huss.

(b) *The movement under John Huss.*

It has been so much the practice to connect the name of Huss with the reformation of doctrine in the Church, that his position as a reformer, principally attacking the Latin system and the political side of

[1] GIES. vol. iv. sec. 124, p. 236.

[2] See NEAND. ix. 263.

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the Papacy, has been much lost sight of. And yet it must not be overlooked that, so far from supporting the ordinary tenets of reformers, Huss ever protested that he was a dutiful son of the Church, and professed himself ready to submit to the Council and the Pope, if they would only convince him of error; that one of his last letters, written in anticipation of his death, was subscribed, 'Written in chains on the Vigil of St. John, who, because he rebuked wickedness, was beheaded in prison. May he pray for us to the Lord Jesus;' and that he requested permission before his death to confess himself, and received absolution from the doctor of theology whom the commissioners sent to him, declaring that his confessor spoke to him kindly and piously.

(2) *John Huss a churchman.*

A.D. June 23

In its early days the movement, at the head of which Huss stood, was decidedly a national movement. It continued to be national up to the time when he had been consigned to the flames, and even long afterwards, until it was finally crushed together with Bohemian nationality. It aimed at asserting for Bohemia a distinct national existence, apart and distinct from the rest of the Empire. Therefore it was a fitting coincidence that on the day on which Huss appeared before the council to receive his doom, the Emperor Sigismund should be seated upon his throne, surrounded by princes and with the insignia of the Empire before him. For Huss was immolated not so much for his zeal in the reformation of morals—that was an object which lay as near to the heart of the council as to his own—but because his teaching was subversive of the Holy Empire.

(3) *The movement subversive of the Holy Empire.*

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He attacked the hierarchical pretensions of the Pope, he also assailed the integrity of the Empire; and the regret which Huss expressed, in the prospect of death, that he had not succeeded in bringing together his beloved Bohemian nation under a common Christian and national interest, was in fact a regret that he had not been able to dismember the Empire. Once, it is said, on the day of his last sufferings, his eye caught the eye of the emperor; and as the champion of Bohemian nationality, standing before Sigismund, pale, emaciated, and wan, reminded him of the tarnished honour of the Empire in violating the safe conduct which he had given, the latter blushed, ashamed to have belied his word of honour. Perhaps, however, even the noble Sigismund, who showed himself at Constance sincerely anxious to promote the work of reform, may have thought himself justified in forfeiting the honour of the Empire towards one whose teaching seemed subversive of all government, and who was represented as having taught that, whenever a Pope or king lay under a mortal sin, he was incapable of acting either as Pope or sovereign.

(γ) *Question of Nominalism and Realism.*

In the University of Prague, the earliest German university, founded by Charles IV. in the fourteenth century, and consisting, according to the constitution at the beginning of the fifteenth century, of four nations, the Bohemian nation stood by itself; the other three nations—the Bavarian, the Saxon, and the Polish—being always united in a common interest. In the time of the Emperor Charles IV., many Germans had obtained important posts within the university, and the national feeling of the

Bohemians had been aroused in consequence. The chief leaders of the national party in Bohemia were Peter of Znaim, Stanislaus of Znaim, Paletz, Jerome of Prague, and Huss; and the efforts of the latter in cultivating the Bohemian language and orthography have called forth in modern times the praise of those most competent to judge on such a subject. The rivalry between the three German nations and the Bohemian nation was carried into the arena of philosophy, and divided them further on the question of Nominalism and Realism; the Bohemians being staunch supporters of Realism, the Germans equally staunch upholders of Nominalism. Naturally, therefore, the attention of the Bohemians was directed to the writings of Wycliffe, who, like themselves, was a strong supporter of Realism; and hence, independently of questions relating to doctrine and morals, Bohemia was prejudiced in favour of Wycliffe. The battle ground on which Wycliffe attacked Nominalism was the doctrine of transubstantiation, and the arguments used against that doctrine by Wycliffe, though to a Nominalist or Idealist they might seem wholly irrelevant, were to a Realist perfectly convincing. For what to him was substance but a general notion formed by the mind, possessing no reality except that derived from attributes or accidents? Well, then, might Huss and his brother Realists seek to entrench their position against the Nominalistic Germans by studying the writings of Wycliffe; and it was acknowledged by Huss that they had been read at Prague since the year 1381, and by himself since the year 1391.

The contest for and against Wycliffe, constantly

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stimulated by the connection between Oxford and Prague, had for some time been waged in secret, when, in the year 1403, an open and violent struggle between the Bohemian and the German parties broke out. On May 28, forty-five propositions[1] ascribed

A.D. May 28, 1403

[1] These forty-five propositions as condemned by the Council of Constance in 1415, LABBÉ, xvi. 846, are as follows: '1. Sub-'stantia panis materialis, et similiter substantia vini manent in 'sacramento altaris. 2. Accidentia panis non manent sine sub-'jecto in sacramento altaris. 3. Christus non est in eodem sacra-'mento identice et realiter in propria praesentia corporali. 4. Si 'episcopus vel sacerdos existat in peccato mortali, non ordinat, 'non conficit, non consecrat, non baptizat. 5. Non est funda-'mentum in evangelio, quod Christus Missam ordinaverit. 6. Deus 'debet obedire diabolo. 7. Nisi homo fuerit debite contritus, 'omnis confessio exterior est sibi superflua et inutilis. 8. Si Papa 'sit praescitus et malus, et per consequens membrum diaboli, non 'habet potestatem super fideles ab aliquo sibi datam, nisi forte a 'Caesare. 9. Post Urbanum VI. non est alius recipiendus in 'Papam, sed invendum est more Graecorum sub legibus propriis. '10. Contra sacram scripturam est, quod viri ecclesiastici habeant 'possessiones. 11. Nullus praelatus debet aliquem excommuni-'care, nisi prius sciat ipsum excommunicatum a Deo, et qui ex-'communicat, sit haereticus ex hoc, vel excommunicatus. 12. Ex-'communicans clerum, quia appellet et regem et consilium regium, 'eo ipso est traditor regis. 13. Illi, qui dimittunt praedicare, sive 'verbum Dei audire, propter excommunicationem praelati, sunt 'excommunicati, et in die judicii traditores Christi habebuntur. '14. Omnes de ordine mendicantium sunt haeretici, et dantes eis 'eleemosynam sunt excommunicati. 15. Nullus est dominus civi-'lis, nullus est praelatus, nullus est episcopus, dum est in peccato 'mortali. 16. Domini temporales possunt ad arbitrium suum 'auferre bona temporalia et possessiones ab ecclesiasticis habi-'tualiter delinquentibus. 17. Populares possunt ad suum arbi-'trium dominos delinquentes corrigere. 18. Decimae sunt purae 'eleemosynae . . . 19. Speciales orationes uni personae appli-'catae . . . non plus prosunt quam generales, ceteris paribus. '20. Conferens eleemosynam fratribus, est excommunicatus eo

to Wycliffe were laid before the university for examination at the request of the Archbishop and Chapter of Prague. They were condemned by a large majority of the three German nations notwithstand-

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'facto. 21. Si quis ingreditur religionem privatam qualemcunque '. . . redditur ineptior et inhabilior ad observationem manda- 'torum Dei. 22. Sancti instituentes religiones praefatas, sic insti- 'tuendo peccaverunt. 23. Religiosi viventes in religionibus pri- 'vatis non sunt de religione Christiana. 24. Fratres tenentur 'per labores manuum victum acquirere, non per mendicitatem. '25. Omnes sunt simoniaci, qui obligant se orare pro aliis, eis in 'temporibus subvenientibus. 26. Oratio praesciti nihil valet. '27. Omnia de necessitate absoluta eveniunt. 28. Confirmatio 'juvenum, clericorum ordinatio, locorum consecratio, reservantur 'Papae et Episcopis propter cupiditatem lucri temporalis et bono- 'rum. 29. Universalia studia, collegia, graduationes et magis- 'teria in eisdem, sunt vana gentilitate introducta, et tantum pro- 'sunt ecclesiae sicut diabolus. 30. Excommunicatio Papae vel 'alterius praelati non est curanda; quia est censura Antichristi. '31. Peccant fundantes claustra, et ingredientes sunt viri diabo- 'lici. 32. Ditare clerum est contra regulam Christi. 33. Silvester 'Papa et Constantinus Imperator erraverunt ecclesiam dotando. '34. Licet alicui diacono vel presbytero praedicare verbum Dei 'absque apostolicae sedis vel episcopi auctoritate. 35. Ingre- 'dientes ordinem aut aliquam religionem, eo ipso sunt inhabiles 'ad observandum divina praecepta, et per consequens perveniendi 'ad regnum coelorum, nisi apostataverint ab eisdem. 36. Papa 'cum omnibus clericis suis possessiones habentibus sunt haeretici, 'et quod possessiones habent, et omnes consentientes eis domini 'saeculares et ceteri laici. 37. Ecclesia Romana est synagoga 'Satanae, nec Papa est immediatus et proximus Vicarius Christi 'et Apostolorum. 38. Decretales epistolae sunt apocryphae et 'seductivae a fide Christi, et clerici sunt stulti qui eas student. '39. Imperator et seculares seducti sunt a diabolo, ut ecclesiam 'dotarent bonis temporalibus. 40. Electio Papae a Cardinalibus 'est per diabolum introducta. 41. Non est de necessitate salutis 'credere Romanam ecclesiam esse summam inter alias ecclesias. '42. Fatuum est credere indulgentiis. 43. Augustinus, Benedictus, 'Bernhardus, damnati nisi poenituerint de hoc, quod habuerunt

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ing all that the Bohemians could do to save the champion of Realism. Three years later, at the re-

A.D. 1406 quest of Pope Innocent VII., Zbynek, the then Archbishop of Prague, published an ordinance threatening ecclesiastical penalties against all who presumed to teach the doctrines of Wycliffe; yet this was done without disturbing the good understanding then existing between himself and Huss. Huss was even selected by the archbishop in the following year to deliver the exhortatory discourse before the clergy

1407 assembled at a diocesan synod; his ability as a preacher having secured to him the appointment to the Bethlehem Chapel in Prague as early as 1401. The measures taken by the archbishop to suppress the views of Wycliffe were apparently successful, and, at a diocesan synod held in the next year, Zbynek

July, 1408 declared that it was found upon investigation that no Wycliffite heresy then existed in Bohemia.

(2) *The movement anti-hierarchical.*

Hitherto the agitation in Bohemia had been purely national in its character. Soon, owing to an event apparently of no great moment, it assumed a very different character. The difference between the Germans and Bohemians at Prague had been enhanced by the Schism, the Bohemians upholding Gregory XII., the Germans adhering to the party which supported the Council of Pisa. The Bohemians, moreover, felt that a national affront had been offered them, in that their king, Wenceslaus,

1408 (*a*) *Huss supported by Wenceslaus.*

1408–1411 (*a*) *The Germans driven from Prague.*

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' possessiones, et instituerunt et intraverunt religiones. Et sic a ' Papa, usque ad summum religiosum omnes sunt haeretici. 44. . . . ' 45. Omnes religiones indifferentes introductae sunt a diabolo.'

had been deposed from the imperial dignity by the German electors; and Wenceslaus took his revenge by changing the constitution of the University of Prague. Instead of three out of four votes, which the German nations had formerly possessed, they, together with all other foreigners, obtained only one vote. The remaining three votes were assigned to the Bohemians. It was a sweeping change which was thus made in the constitution of the university, and, as might have been expected, led to sweeping results. All the German students, some 30,000, it is said, in number, emigrated to Leipsic in a body, and the entire victory of the Bohemian party was signalised by the election of John Huss to be rector of the university.[1] But this step soon brought to light the hidden seeds of discord in a party which had hitherto been united by opposition to a common foe. The writings of Wycliffe, which had been first studied with the view of gaining from them arguments to support the cause of Realism, had not been without influence in other ways, nor failed to impregnate many minds with his anti-hierarchical views. Bohemia might be as anxious as England to assert its nationality against the Holy Empire, but whilst some considered the political aspect of nationality only, and wished to be independent of the German Empire, others wished also to see the papal power restrained within narrower limits. These two parties now came into collision. At the head of the one

[1] See NEAND. ix. 344.

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stood Huss; at the head of the other Paletz and Znaim.[1]

(3) *Huss in antagonism with the clergy.*

And yet before the rupture was open, and Paletz and Znaim had finally parted company with Huss, a time intervened during which Huss came forward as a castigator of the abuses of the hierarchy, and a supporter of the Council of Pisa; and standing there in opposition to his former friend, the Archbishop Zbynek, he found himself involved in a controversy with the clergy. The cause of the council was supported by Huss in sermons; the corruptions of the clergy were denounced. Those clergy who had listened with pleasure when Huss fearlessly attacked the reigning vices among other classes of men, refused any longer to tolerate him when he attacked their own. Complaints were entered against him before the archbishop; the complaints grew louder as the breach between the adherents of Gregory XII. and those of the cardinals grew wider. To the citation which Huss received to give an account of himself before the archbishop's inquisitor, he replied by addressing to Rome a complaint against the archbishop. Zbynek repaired to Rome to defend his own character, and having no longer to resist the council, he tendered his submission to Alexander V. as rightful Pope, and retaliated on Huss by procuring a severe Bull directed against all who should defend the heresies of Wycliffe, and prohibiting all preaching in private churches.[2] The Bull was received with great indignation in Bohemia.

A.D. March 9, 1410

[1] See NEAND. ix. 345.

[2] *Ibid.* p. 353.

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The injunction to deliver up the writings of Wycliffe was, indeed, obeyed by Huss and his friends; but when the archbishop caused 200 volumes to be burnt without the slightest regard to personal property, the step was a signal for a general disturbance in Prague. The archbishop was exposed to contempt and ridicule; ribald and satirical songs, of which he was the subject, were openly sung in the streets of Prague; even blood was spilt; and Zbynek was fain to send to John XXII., who had meantime succeeded Alexander V., a report of all that had transpired in Bohemia.

July 16, 1410

(γ) *Support of King Wenceslaus.*

Even then matters would probably have gone hard with Huss had it not been for the support of King Wenceslaus. When Huss had first sided with the Council of Pisa, Wenceslaus, who had never been a friend of the hierarchy, supported him. When the Bull of Alexander V. against the teaching of Wycliffe was promulgated, Wenceslaus looked on Zbynek with suspicion, as an enemy to his realm. When Zbynek, carrying out that Bull, had collected a number of the writings of Wycliffe, Wenceslaus forbade him to burn them without his consent. The archbishop's disobedience made him all the more anxious to support Huss. When Huss met the Bull by appealing 'a pontifice male informato ad melius informandum,'[1] and when he renewed his appeal on the accession of John XXII., Wenceslaus again stood his friend. When Cardinal Otto of Colonna, to whom Huss's appeal and Zbynek's report had been referred, had

[1] See NEAND ix. 354.

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confirmed the sentence of Zbynek on Huss and cited him to appear before the Pope at Bologna, it was Wenceslaus who begged the Pope to impose silence on the enemies of Huss, since he declared it to be his will 'that Bethlehem Chapel, which for the glory of God and the saving good of the people he had endowed with many franchises, should stand; and that Master Huss should be established over the chapel, and preach the word of God in peace.' By the intercession of Wenceslaus the case of Huss was taken out of the hands of Cardinal Colonna, after sentence of excommunication had been already pronounced on him for contumacy, and was referred to a new commission; and when the new commission had confirmed the previous sentence with additional severity, Huss being declared a heresiarch, and an interdict laid on the place where he resided, Wenceslaus, by persecuting the clergy who observed the interdict, by confiscating their goods and obliging them to flee, compelled the archbishop to submit to the decision of an impartial committee. A compromise was agreed upon; the archbishop should report to the Pope that no heresies existed in Bohemia; and obtain the Pope's consent to remove the interdict if any person lay under it in Bohemia; and, in return, King Wenceslaus should restore the salaries withholden from the clergy, and release such as were under arrest.

A.D. Feb. 1411

July, 1411

*(b) Rupture in the Bohemian party.*

Had the compromise been adhered to, it would have been well for Huss. Zbynek, however, refused to fulfil his part in it, on the ground that King Wenceslaus had not discharged what he had pledged

himself to do, and the death of Zbynek happening at this moment, changed the whole aspect of affairs.

*(a) Indulgences and a Crusade cause of the rupture.*

The real occasion which brought to light the prevailing differences, and caused a rupture within the Bohemian party, was the papal Bull offering indulgences to all who would take part in a crusade against Naples. By this weapon John XXII. thought to overcome his enemy, Ladislaus of Naples. Whilst, however, Stanislaus of Znaim and Paletz acquiesced in such an instrument being employed, declaring that the Pope is the safest refuge for all the faithful, Huss lifted up his voice against the abuse of ecclesiastical censures, and maintained that it was not permissible for a Pope to fight for worldly dominions; that, following the example of Christ, he ought to pray for his enemies; and that to bestow pardon for money was true simony. From this time forth the Bohemian national party split into two factions. At the Council of Constance the bitterest enemies of Huss were those who had once been his greatest friends and associates in controversy with the Germans. 'The sale of indulgences and the lifting up of the standard of the cross against Christians first cut me off from my old friends,' said Huss. There is a solemn earnestness about the way in which he took leave of his old friend and teacher, Paletz, when he met him for the last time as a friend, showing the intensity of his convictions, 'Paletz is my friend, truth is my friend, and both being my friends, it is my duty to give the preference to truth.' Paletz never forgave him these words. When Huss was afterwards sick in prison, Paletz visited him,

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but only as an accuser. No sufferings of his old friend and pupil could move him to mercy. He never spoke to him but in the harshest language. Said Huss to him: 'Sad greeting do you give me, and sadly do you sin against your own soul.' But the stern man never relented until the burnt ashes of Huss were cast into the Rhine, there to be washed away into the sea, so that no portion of him might remain to pollute the earth. How different was the tone of Huss, who, in prospect of execution, desired to have as his confessor his enemy Paletz!

(3) *The tragedy of Huss' life.*

From the breaking up of the Bohemian party until his death, the career of Huss is full of tragic incidents. There was the first act of violence, when

A.D. July 10

three young friends of his were executed for opposing the publication of the papal Bull; the adverse decision of the doctors, with Paletz at their head, condemning the forty-five articles attributed to Wycliffe, and inviting the king to give force to their decision; there was the ban on Huss; the interdict on Prague; the futile attempt to heal the breach by

Feb. 6, 1413

a synod convened at Böhmisch-Brod, but held at Prague; the determination of Huss to defend himself from the charge of heresy before the council; the emperor's promise of a safe-conduct; the journey

Nov. 28, 1414

through Germany; the imprisonment at Constance;

Dec. 6,

the confinement within the narrow dungeon of the Dominican monastery, filled with pestiferous effluvia from a neighbouring sink; the sickness in prison; the

March 24, 1415

futile attempts to gain a public trial; the still worse confinement in the Castle of Gottleben, where the victim was chained by day and by night, shut off

from friends, and suffering from headache, haemorrhage and colic; the relentless rancour of his former friends. But these sadder traits were also relieved by bright acts of kindness. There was the kindness of the Lord of Austie, who sheltered him when banished from Prague in his Castle of Kozi-hradek; a similar kindness shown him by Henry of Lazan, who entertained him in his stronghold of Cracowec; there was the hearty leave-taking of the Polish tailor, A.D. 1413 'God be with thee; for hardly think I wilt thou get back again unharmed, dearest Master John, and most steadfast in the truth. Not the King of Hungary, but the King of Heaven, reward thee for the good and true instruction I have received of thee!' There was the kindness he received on his journey at Pernau and Nuremburg; and, above all, there was the steadfast persevering fidelity of the noble knight, John of Chlum, who attended him from Prague, who was taken prisoner with him at Constance, who personally overwhelmed the Pope with reproaches for daring to violate the imperial honour; Oct. 11, 1414 who complained to the emperor of this breach of faith; who posted up a certificate, protesting against the insult offered by the Pope to the Empire; who Dec. 24 1414 left no stone unturned to procure for his friend the much wished-for public trial; who spoke out in his defence at his second audience before the council; who seized the hand of Huss as he was being led back to prison, worn down and exhausted, after his third audience, warmly pressing it, so that Huss said of him, 'O what joy did I feel from the pressure of my Lord John's hand, which he was not ashamed to

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give me, a wretched outcast heretic in chains;' and whose truly noble character may gathered from the words he addressed to Huss the day before his execution: 'I am an unlettered man, and know not how to advise you, who are a learned man. Yet I beseech you, if you are conscious of any error, do not shrink from altering your opinion; but if not, I will not lead you to do aught contrary to your conscience; I much rather advise you to suffer any punishment than to deny the truth of which you are well assured.'

July 5, 1415

(γ) *Burning of Huss.*

The concluding act of this tragedy took place on July 6, 1415. Clad in the priestly vestments, Huss stood before the seven bishops selected for the purpose. One after another, these vestments were removed with solemn imprecations. A cap painted with devils was placed on his head. Said Huss: 'My Lord Jesus Christ wore on my account a crown of thorns, why should not I be willing for his sake to wear this easier though shameful badge?' His soul was delivered over to the devil by the bishops; 'But I,' said Huss, 'commend into thy hands my soul, O Lord Jesus.' Consigned to the executioners of justice, he was placed upon the faggots, bound fast to the stake, and chained to it by the neck. The fire was kindled, and soon the flames, driven towards him by the wind, stifled his voice; Huss still singing, 'Jesus, Son of the living God, have mercy upon me.'

Thus fell Huss, sacrificed by the Emperor Sigismund for his championship of the national cause of Bohemia, sacrificed by the Pope for castigating the anti-Christian conduct of the Vicar of Christ, sacri-

ficed by the Reforming Council and his countrymen for advocating the doctrines of Wycliffe—political doctrines which seemed to strike at the root of every civil institution—philosophical views which were opposed to the growing nominalism of the day. The council justified the breach of the emperor's safe-conduct by decreeing that no faith should be kept with a heretic.[1] Far from quenching the national movement in Bohemia, the death of Huss only served to infuse into it new life, and to unite all parties there against the Pope, the emperor, and the council. Not many days before the execution of Huss, the Council of Constance had passed a decree against the administration of the cup to the laity, a practice which had been introduced in Bohemia, by James of Misa, as being necessary to salvation, and which had met with general approval, even Huss having given the advice to 'endeavour to bring it about, if it can be done, that the administration of the cup may be granted by a Bull to those who require it from motives of devotion.' The

(3) *Movement again national under the Hussites.* 1415–1515

(*a*) *Causes of the exasperation of the Bohemians.*

June 15, 1415

[1] Sessio xviii. LABBÉ, xvi. 291 : 'Sacrosancta Synodus etc. . . : 'Quia nonnulli nimis intelligentes . . . sacro . . . concilio linguis 'maledictis detrahunt, publice et occulte dicentes vel innuentes, 'quod salvus conductus per invictissimum principem . . . quon- 'dam Joanni Huss heresiarchae damnatae memoriae datus, fuit 'contra justitiam aut honestatem indebite violatus ; cum tamen 'dictus Joannes Huss fidem orthodoxam pertinaciter oppugnans, 'se ab omni conductu et privilegio reddiderit alienum ; nec aliqua 'sibi fides aut promissio de jure naturali, divino, vel humano, 'fuerit in praejudicium catholicae fidei observanda ; idcirco dicta 'sancta synodus praesentium tenore declarat, dictum invictissimum 'principem . . . non obstante memorato salvo conductu, ex juris 'debito fecisse quod licuit. . . .'

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condemnation of this practice, coupled with the denunciation of its supporters as heretics, anew brought the Bohemians into opposition to the council. Nor was the execution of Huss, which followed, calculated to diminish their resentment, since the violation of the safe-conduct to so distinguished a man was regarded as a national insult. Moreover, the exasperation of the Bohemians was further increased by the execution of Jerome of Prague, a Bohemian knight and friend of Huss, who at first recanted, but afterwards suffered death, enduring the torments of the fire with more tranquillity than Socrates displayed in drinking the hemlock draught. At length the utter contempt which the council showed for Bohemia, as a place infested with heresy, coupled with a decision of the University of Prague in favour of the communion in both kinds, brought matters to a crisis. A league was concluded for six years by the Bohemian and Moravian nobles for protecting the purity of doctrine.

Sept. 5, 1415

*(b) Defensive wars of the Bohemians.*

Then came the violent measures of the council against Bohemia, the mission of the papal legates to suppress the heretics, as they were called; the rising of the Hussites in self-defence under Nicolas of Hussinecz and John Ziska; their gathering and establishment on Mount Tabor; their march upon Prague, and bloody vengeance on the New City; the death of King Wenceslaus and the complete anarchy which followed, the people refusing to submit to the hated Sigismund. The anarchy was increased by the division of the Hussites into two parties, the more moderate party of Calixtines or

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A.D. 1421

Utraquists, adhering to the four articles, and the new extreme party of the Taborites, recruited by the accession of Beghards or Picards, and espousing all their heretical tenets. For a time the two parties coalesced in a common opposition to Sigismund. The Calixtines Sigismund might have induced to receive him as their king had he made a few slight concessions. Not so the Taborites, who since the death of Wenceslaus had begun to pull down churches and monasteries, and to ill-treat priests and monks. As it was, by causing a crusade to be preached against all indiscriminately, he only united both against himself. The spirit of Bohemian nationality was strong, and it retaliated with terrible vengeance on those who undertook the three crusades which the emperor had succeeded in raising.

(*c*) *Internal divisions of the Bohemians.*

A.D. 1431

Nov. 30, 1433

Finding that violence was unavailing, the Council of Basle resorted to negotiations with the Hussites. They ended in a compact being concluded at Prague between the council and the Calixtines, by which the four articles, subject to some limitations, were conceded, and by which also one party of Bohemians was detached from the other. The arms of the Taborites were now turned against the Calixtines, and the result was their own entire defeat at Böhmisch-Brod. After the compact had been again solemnly ratified at Iglau, the Calixtines acknowledged Sigismund as their king on the guarantee of certain conditions.

May 30, 1434

1436

(*d*) *The observance of*

The subsequent history of these parties is soon told.[1]

[1] A sketch of it in GIES. vol. v. sec. 151, p. 123.

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*the compact enforced by the Calixtines.*

Sigismund forgot his concessions, and restored the ancient ecclesiastical institutions as far as possible. Having been once deceived, the Calixtines were too wary to be taken in again. On Sigismund's death they resisted the Catholic emperor, Albert; on his death they insisted on having a Calixtine regent. On the decease of the zealous Catholic, Ladislaus, the Calixtine, George of Podiebrad, was elected king, but his conciliatory measures, which might have restored peace to the country, foundered on the cherished project of the Calixtines, that the Catholics must be driven from the country, and the no less cherished project of Pius II., that the Papacy must be upheld in all its former pretensions. The compact concluded at Prague was declared invalid: George was excommunicated and dethroned; a fresh crusade was preached against himself and his party, and the kingdom of Bohemia was granted as a gift to Matthias, King of Hungary, who even gained possession of Silesia, Moravia, and Lusatia. Nevertheless, the German Universities denounced the crusade. In Bohemia George Podiebrad maintained his rights till his death, and his successor Wladislaus, a Polish prince, himself a Catholic, found the Calixtines so strong that the compact remained in full force till his death.

A.D.
Dec. 1437
Oct. 1439
1462
Dec. 1465
1471
1516

C. *Gallican movement in France.*

(1) *Beginning under Louis IX.*

Meantime a similar movement had been going on in France. This movement was so far unlike the movements in England and Bohemia, that it was not precipitated by the over-zeal of controversy, but progressed gradually with few violent outbreaks. The foundation of Gallicanism may be traced back

1270

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to the Pragmatic Sanction of St. Louis, an edict which was either enacted with the Pope's concession at the time when Clement IV. was absolutely dependent for protection on Charles of Anjou, or which passed unobserved in the vacancy before the election of Gregory X. Alexander IV. had made concessions to St. Louis some ten years earlier;[1] A.D. 1260 the king's judge should not incur excommunication for arresting priests guilty of capital offences. The Pragmatic Sanction now passed by St. Louis laid down a few simple laws to ensure the tranquil and wholesome state of the Church:[2] prelates, patrons, and ordinary collators were to enjoy their right to present to benefices; freedom of election was to be allowed to the cathedral and other churches; the

[1] See the thirty-two stabilimenta made by St. Louis, in Concil. Biterr. LABBÉ, xiv. 194, an. 1255.

[2] Passed in 1269. See GIES. vol. iii. sec. 62, p. 187. The Pragmatic Sanction consists of the following five chapters, LABBÉ, xiv. 445, an. 1268: '1. Ut ecclesiarum regni nostri praelati, 'patroni et beneficiorum collatores ordinarii, jus suum plenarie 'habeant, et unicuique sua jurisdictio servetur. 2. Item ecclesiae 'cathedrales, et aliae regni nostri, liberas electiones, et earum 'effectum integraliter habeant. 3. Item simoniae crimen pesti-'ferum ecclesiam labefactans, a regno nostro penitus eliminandum 'volumus et jubemus. 4. Item promotiones, collationes, provi-'siones, et dispositiones praelaturarum, dignitatum, et aliorum quo-'rumcunque beneficiorum et officiorum ecclesiasticorum regni 'nostri, secundum dispositionem, ordinationem, et determinatio-'nem juris communis, sacrorum conciliorum ecclesiae Dei, atque 'institutorum antiquorum sanctorum patrum, fieri volumus et 'ordinamus. 5. Item libertates, franchisias, praerogativas, jura ac 'privilegia, per inclitae recordationis Francorum reges praedeces-'sores nostros, et successive per nos, ecclesiis, monasteriis, atque 'locis piis, religiosis necnon personis ecclesiasticis regni nostri 'concessas, et concessa, innovamus, laudamus, approbamus.'

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pestilential crime of simony was to be banished; promotions, collations, provisions and dispositions of prelacies, dignities and benefices were to proceed conformably to the Common Law, the Sacred Councils of the Church, and the ancient institutions of the Holy Fathers; no manner of exactions or assessments might be raised without the king's consent and the consent of the national Church; to all churches and monasteries their immunities, prerogatives, and privileges were secured. But in the hands of the great lawyers of the University of Paris, and by the memorable decree of the Appeal because of Abuses, these laws were developed into a charter of independence of the Gallican Church.

(2) *Under Philip the Fair.* A.D. 1300

The struggle between Philip the Fair and Boniface VIII., involving as it did the observance of the Pragmatic Sanction of Louis IX., bears in many respects a resemblance to the national movement in England under Richard II.; in others it is more like the struggle between Henry II. and Thomas à Becket. Had it taken place a century and a half earlier, there is little doubt that it would have ended, as did that under Henry II., in the submission of the king; had it taken place ninety years later, it would have been deprived of its more tragical effects by encountering an antagonist less powerful than Boniface VIII. For, whatever it may seem to be at first sight, it was not a mere controversy between a headstrong king and a headstrong Pope; it was a national reaction against the extreme powers claimed by the Papacy, and it was a national reaction in that it came from the people as well as the king. The States General

declared that they would not receive the redress of ecclesiastical grievances from the Pope, but only from their Lord the King; the Ordnance of Reformation was promulgated by the king, and charges were preferred against the Pope before the States.[1] Had it not been for the death of Boniface and the concessions of his successor, France might at the beginning of the fourteenth century have done more than Wycliffe or more than Huss proposed to do at its close—have renounced entirely her allegiance to the Pope. The residence of the Popes at Avignon, however, entirely changed the attitude of that country. Henceforth the interests of France were sacrificed to the interests of her sovereigns. The Pope was supported by the king, the king by the Pope; both united to keep down the national reaction against the Papacy; both pledged themselves to support each other, and at length shared between them the liberties of the Gallican Church.[2]

(3) *Assertion of Gallican principles during the Schism.*

Yet this result was not attained until the theories on which those liberties were founded had for a brief time had their day, and by asserting themselves at the most critical period in the history of the Papacy—the time of the Great Schism—had inflicted on that institution a severe blow, from which it could never afterwards recover. The chief instruments in promulgating these principles were the cardinal, Peter d'Ailly, Gerson, Chancellor of the University of Paris, and his pupil, Nicolas of

[1] GIES. vol. iii. sec. 59, p. 149.

[2] *Ibid.* iv. sec. 136, p. 436.

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Clemanges. Unlike Paletz, who defined the Church to be the body of cardinals under the Pope as their head, the Gallican divines nurtured in the University of Paris, starting with the two notions of the Church and the Pope, placed the conception of the one universal Church in the foreground, the government of a single head being altogether subordinate. The ecclesiastical supremacy of the Popes was thus overturned, the authority of individual bishops restored. Teaching that from Christ, as the Head and Bridegroom of the Church, the mystical body has its origin, and that where two or three are gathered together in the name of Christ, there He is in the midst of them; Gerson,[1] at the same time, declares that the hierarchy, in all its gradations, is necessary for all time as the organism prescribed by Christ for the diffusion of his spirit, but that the collective Church, as it has power to make a Pope, has also the power to pass judgment on a Pope, and to depose him. He holds, moreover, that the Pope when made is bound to observe the law of Christ. How therefore, he asks, can the Pope be the servant of the servants of God upon earth, when he is more ready to please princes, kings, and tyrants than God and his saints? How can the Pope possess the power to bind in heaven and on earth, when he can only announce the sentence ratified in heaven? Disposed to allow a certain degree of freedom in the Church, Gerson, at the same time, retreated behind

*(a) Gerson's teaching.*

[1] GIES. vol. iv. sec. 136, p. 419; GERSON, *De Potest. Eccl. Consid.* xi. *Opp.* ii. 243.

the system of the theologians of Paris, and therefore opposed both Wycliffe and Huss. A General Council he held to be an assemblage of all orders of the Church convened by lawful authority, and excluding no person, whoever he may be, that demands to be heard; and although he admitted with limitations that a General Council cannot annul the Pope's plenitude of power, still he held that it might modify the use of that power by determinate laws.

(*b*) *Nicolas of Clemanges.*

In the same spirit Nicolas of Clemanges,[1] when endeavouring to heal the Schism, and speaking in the name of the university, declared that a General Council derives its authority from the words of Christ, Where two or three are gathered in my name, there I am in the midst of them; and expressed the wish that some limitations might be imposed on the power of the Popes, since limitation would best promote the interests of the Papacy. Not other was the language used by the cardinal, Peter or Pierre d'Ailly,[2] the friend and teacher of Gerson, in his sermon before the Council of Constance. His text was, 'There shall be signs in the sun, and in the moon, and in the stars.' The sun was the spiritual power, the Pope; the moon the temporal, the emperor; the stars, the cardinals, prelates, and doctors in the firmament of the council. But the sun, for the fulness of his power, must fulfil certain conditions: 'if the supreme pastor shall have risen by bad means, by unjust

(*c*) *Pierre d'Ailly.*

[1] See NEAND. ix. 88, and NIC. DE CLEMANGIS, *Opp.* ed. Lydius, Epp. pp. 6–10.

[2] Conf. also his cedula in Concil. Const. an. 1415, LABBÉ, xvi. 38.

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and reprobate ambition; if he shall have led a scandalous and dishonest life; if he shall have ruled negligently and tyrannically, he is but the phantom of the sun.' It seems strange that such language should be approved in a cardinal, when Huss was derided for saying: 'If he who is called the Vicar of Christ copies his life, he is his vicar; but if he takes the opposite course, he is a messenger of antichrist and a vicar of Judas Iscariot.'

(4) *Gallican liberties secured at Bourges.*

A.D. 1438

(a) *Contents of the Pragmatic Sanction.*

The principles which the theologians of Paris, taking advantage of the Schism, asserted were the principles on which the independent councils of Pisa, Constance, and Basle proceeded; principles always distasteful to the Popes, and against which they secured the decisions of the Council of Florence and the fifth Lateran Council. By the Pragmatic Sanction of Bourges those principles were embodied in the laws of France. Charles VII. had refused to conclude a concordat with Martin V. Was it that he feared to offend a party so powerful as the Gallican then was, by recognising even partially the claims of the Papacy? Or was it that he thought he could obtain more from the university than he

1438

could from the Pope? When the Council of Basle had passed its reformatory decrees, the Gallican hierarchy was assembled in a national synod at Bourges.[1] The king proposed, the clergy eagerly adopted the decrees of the council. These decrees declared that the Pope was subject to a General Council, and such a council the Pope was bound to

[1] See Concil. Bitur. an. 1438, in vol. Supp. v. to LABBÉ, p 60.

hold every ten years; the Pope had no power to nominate to the great ecclesiastical benefices; the right of election should devolve on those to whom it belonged; the Court of Rome had no right to collate to inferior benefices. Grants to benefices in expectation were abolished absolutely; appeals to Rome were limited to grave cases; the number of cardinals was restricted to twenty-four; annates and first-fruits were declared to be a simoniacal payment; the interdict was no longer to confound in one sweeping condemnation the innocent and the guilty. By the Gallican divines, the Pope was now recognised subject to the liberties of the Gallican Church—a proviso which was declared to imply two things, that the Pope has no dominion over the temporalities of kings; and that the Pope's power is limited by the decrees of General Councils. These two things were subsequently expanded in the five propositions, that the Church can in no way exercise jurisdiction over kings or their unbaptized subjects; that in temporal matters individuals are subject only to their sovereigns; that the Church cannot release subjects from allegiance to their sovereigns; that the Church cannot dispose of its revenues contrary to the statutes of the realm; and that the Church cannot deal with unbaptized persons at all against the will of their sovereigns.[1]

(*b*) *Statement of Gallican liberties by Gallican divines.*

The Pragmatic Sanction of Bourges was after all only a temporary act on the part of Charles VII. Notwithstanding the apparent zeal of the French

(*c*) *History of the Sanction until its repeal.*

[1] See ASSEMAN, *De Ecclesiis.*

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kings in upholding the liberties of the Gallican Church, they were always only too ready to sacrifice those liberties, if by so doing they could increase their own power. The Church, it is true, they would not have dependent on the Pope. Still rather than not have it dependent upon themselves, they would sacrifice it in part to the Pope. Hence from the time of their first being asserted, until they were finally sacrificed by Francis I., the French kings always played fast and loose with the Gallican liberties. During the lifetime of Charles VII., who knew what to expect from a Pope holding the high papal notions of Innocent IV. and Boniface VIII., the attempts of Pius II. to procure the repeal of the Pragmatic Sanction were in vain. But with his successor, Louis XI., Pius could do more; for in the hope that the Pope would support the claims of the house of Anjou to the throne of Naples, Louis repealed the Sanction. Finding, however, that the wished-for support was not forthcoming, the French king did not trouble himself to compel his reluctant parliament to adopt the repeal. Hence the position of France was undecided.[1] When the French, agreeably to the terms of the League of Cambray, appeared in Italy to help the Pope, and had been driven thence by the Swiss (the faithless Julius II. having formed an alliance with their enemies), a Lateran Council, convened by the Pope to execute his vengeance, denounced the Pragmatic Sanction, and placed the whole realm of France under the interdict.[2] But

(α) *Futile attempts of Pius II. at Mantua.* A.D. 1460

(β) *Partial success with Louis XI.* 1461

[1] GIES. vol. iv. sec. 133, p. 372.

[2] Concil. Later. v. an. 1512, sessio iv. LABBÉ, xix. 750.

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(γ) *Repeal of the Sanction.*

A.D. Dec. 1515

the Pragmatic Sanction still survived, neither quite enforced nor quite repealed, until the young king, Francis I., reappeared in Italy with irresistible force. At once Leo X. saw that opposition was hopeless, and believing that everything could be gained by a timely surrender, concluded with him a final Concordat which lasted for almost three centuries.[1] Instead

[1] See the preparatory steps in Concil. Lateran. v. an. 1515, sessio x. LABBÉ, xix. 913. The articles of the Concordat were ratified at sessio xi. an. 1516, in LABBÉ, xix. 947. Among them the following: 'Quod cathedralibus et metropolitanis ecclesiis in 'regno . . . illarum capitula et canonici ad electionem seu postu- 'lationem inibi futuri praelati procedere non possint; sed illarum 'occurrente hujusmodi vacatione, rex Franciae pro tempore existens 'unum gravem magistrum seu licentiatum in theologia . . . in 'universitate famosa, et rigore examinis, et in vigesimo septimo 'suae aetatis anno ad minus constitutum et alias idoneum infra 'sex menses . . . nobis et successoribus nostris Romanis pontifi- 'cibus . . . sedi praedictae nominare . . . et si contingeret, 'praefatum regem, personam taliter non qualificatam ad dictas 'ecclesias sic vacantes nominare . . . teneatur idem rex infra tres 'alios menses . . . alium supra dicto modo qualificatum nomi- 'nare. . . . Consanguineis tamen praefati regis ac personis subli- 'mibus . . . sub prohibitione praemissa minime comprehensis, 'sed de eorum personis . . . dictis ecclesiis . . . libere provideri 'possit.' *Ibid.* p. 952: 'Volumus quoque et ordinamus, quod in 'regno . . . de caetero non dentur aliquae gratiae exspectativae. '. . . Statuimus insuper, quod ordinarius collator in unaquaque 'cathedrali . . . canonicatum et praebendam inibi consistentem 'conferre teneatur uni magistro seu licentiato . . . qui per decen- 'nium in universitate studii generalis privilegiata studuerit, ac 'onus residentiae, lecturae et praedicationis actu subire voluerit; '. . . *Ibid.* p. 954: 'Statuimus quoque et ordinamus, quod col- 'latores ordinarii et patroni ecclesiastici praefati inter graduatos, 'qui literas gradus cum tempore studii et attestatione nobilitatis 'debite insinaverint . . . gratificare possint illum ex eis, quem 'voluerint. . . . Statuimus quoque quod parochiales ecclesiae in 'civitatibus aut villis muratis existentes, non nisi personis modo

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of capitular election, the king was to nominate, the Pope to collate to episcopal sees. Annates were restored to the Pope, who also received a small stipulated patronage in place of his indefinite prerogative of reserving benefices. Whilst the Parliament of Paris yielded only to force in allowing the concordat to be unregistered, and the University stopped little short of sedition, the king and the Pope had each got what they desired. To the king fell the real power and the essential patronage of the Church; by the Pope the recognition of his authority has been secured.

*Conclusion. Value of Ultramontanism, and national Churches.*

Never should it be forgotten in tracing the national efforts for independence between the thirteenth and sixteenth centuries, that it was from the Universities of that age—from Oxford, from Prague, from Paris—that the reactions against the Latin system proceeded which finally terminated in the Reformation. In the Universities then, as now, the spirit of reaction attained to maturity earlier than elsewhere, and from them as centres, it diffused itself over Europe,

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'praemisso qualificatis, aut saltem qui per tres annos in theologia 'studuerint . . . conferantur.' . . . *Ibid.* p. 956: 'Statuimus quo- 'que, quod in provisionibus quas personis quibusois de beneficiis 'vacantibus . . . per nos et successores nostros . . . fieri conti- 'gerit, illorum verus annuus . . . valor secundum communem 'aestimationem exprimi debeat. . . . Statuimus quoque . . . quod 'in regno . . . omnes et singulae causae, exceptis majoribus in 'jure expresse denominatis, apud illos judices in partibus, qui '. . . cognitionem habent, terminari et finiri debeant.' *Ibid.* p. 957: '. . . Insuper ordinamus quod quicumque clericus . . . 'publicus concubinarius a perceptione fructuum omnium bene- 'ficiorum suorum trium mensium spatio sit ipso facto suspensus.'

like the sound of a passing bell, foretelling the coming end of Mediaeval Christendom. The deep moral earnestness of the Teutonic nations no less than their intense individualism begin henceforth to be factors in the history of religious truth, and to attract by their freshness and life no less than by the fact that they speak directly to the heart of the modern world. For if the Romans and the Romance nations loved system, the Teutonic nations have ever attached greater importance to the principle of personal responsibility. The struggle to assert this principle appeared at first a struggle to establish national Chuches, these being the representatives of national independence. Wycliffe, Huss, and the Gallican doctors succumbed in the attempt, but at the Reformation victory declared itself on the side for which they had fought. National Churches were everywhere established; the Papacy itself was reduced to the rank of a national institution, and became henceforth ultramontane.

And yet all these new ecclesiastical institutions growing up as they did on the ruins of the old Mediaeval Papacy, were only stepping-stones in one direction, imperfect attempts to assert the personal responsibility of each individual to God—a view which, to the Teutonic mind, seems as indispensable and as important as an ecclesiastical system seemed to the Latin mind, for the purpose of mediating between God and man. In the Latin system was expressed the Latin character, its love of centralisation, its love of law, its sinking of individuals in the commonwealth. The new ecclesiastical insti-

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tutions which came into being at the Reformation, expressed (as well as that age could do it) the Teutonic character, its love of freedom, its idea of direct dependence on God, its intense individualism. The Latin system still exists, although no longer commanding the allegiance of the world, but confined to the Romance nations or those characters in the old and new world which have an affinity for the Romance nations, and on whom the spell of antiquity still is strong. Other national Churches and new phases of belief have grown up and flourish beside it, and, as being more congenial, are more popular among the nations of Teutonic origin and those under the influence of Teutonic ideas. But what, after all, are the Papacy or those Churches which dispute its claims more than national institutions? Each may aspire to be the only true, but each is far from being *the one only Catholic Church.* If Christendom is ever again to be united, so as to convince the world of the Divine mission of its Founder, such a union must neither be expected from the Latin system, with all its grandeur and attractiveness for lovers of the past and lovers of culture, nor yet from any particular form of Teutonic individualism and self-assertion, however flattering these forms may appear to human reason. Only a higher and more solid form of Catholicity can join in one fold the Celt and the Teuton, the Greek and the Scythian, the Jew and the savage who shall yet be reclaimed from some country far remote—a Catholicity, in fact, which can look beyond its own narrow horizon and sink national peculiarities, and which

can cultivate more deeply that one grace without which the tongue of men and angels will profit nothing. The prodigal waste of mental and moral forces in the Middle Ages, for ends wholly incommensurate—for they had been no sooner attained than they were as soon lost—will not have happened in vain, if over their grave a voice is heard, reminding modern society of the great end for which Christ came into the world, and comparing with it the objects on which Christendom is from time to time wasting her energies. For what, after all, are national Churches but things of the day, passing forms in the development of Christianity? What are their exclusive pretensions to infallibility but tinkling brass and a sounding cymbal?

# APPENDIX IV.

## STAT. 25 EDWARDI III. ST. VI., COMMONLY CALLED STATUTE OF PROVISORS, A.D. 1350.[1]

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WHEREAS, late in the parliament of good memory of Edward King of England, grandfather to our lord the king that now is, the 35th year of his reign, holden at Carlisle, the petition heard, put before the said grandfather and his council in his said parliament by the commonality of the said realm, containing, that whereas the holy church of England was founded in the estate of prelacy, within the realm of England, by the said grandfather and his progenitors, and the earls, barons, and other nobles of the said realm, and their ancestors, to inform them and the people of the law of God, and to make hospitalities, alms, and other works of charity, in the places where the churches were founded, for the souls of the founders, their heirs, and all Christians; and certain possessions, as well in fees, lands, rents, as in advowsons, which do extend to a great value, were assigned by the said founders to the prelates and other people of the holy church of the said realm, to sustain the same charge, and especially of the possessions which were assigned to archbishops, bishops, abbots, priors, religions, and all other people of holy church, by the kings of the said realm, earls, barons, and other great men of his realm; the same kings, earls, barons, and other nobles, as lords and avowees, have had and ought to have the custody of such voidances, and the presentments and the collations of the benefices being of such prelacies.

*The Pope bestowed spiritual*

II. And the said kings in times past were wont to have the greatest part of their council, for the safeguard of the realm when

[1] From STEPHEN'S *Ecclesiastical Statutes*, vol. i. p. 58.

they had need, of such prelates and clerks so advanced; the Bishop of Rome, accroching to him the seigniories of such possessions and benefices, doth give and grant the same benefices to aliens, which did never dwell in England, and to cardinals, which might not dwell here, and to other as well aliens as denizens, as if he had been patron or advowee of the said dignities and benefices, as he was not of right by the law of England; whereby if they should be suffered, there should scarcely be any benefice within a short time in the said realm, but that it should be in the hands of aliens and denizens by virtue of such provisions, against the good will and disposition of the founders of the same benefices; and so the elections of archbishops, bishops, and other religions should fail, and the alms, hospitalities, and other works of charity, which should be done in the said places, should be withdrawn, the said grandfather, and other lay patrons, in the time of such voidances, should lose their presentments, the said council should perish, and goods without number should be carried out of the realm, in adnullation of the estate of the holy church of England, and disherison of the said grandfather, and the earls, barons, and other nobles of the said realm, and in offence and destruction of the laws and rights of his realm, and to the great damage of his people, and in subversion of all the estate of his said realm, and against the good disposition and will of the first founders. By the assent of the earls, barons, and other nobles, and of all the said commonality, at their instances and requests, the damage and grievances afore considered, in the said full parliament it was ordained, provided, established, agreed, adjudged, and considered, that the said oppressions, grievances, and damages, in the same realm, from henceforth should not be suffered in any manner. And now it is showed to our lord the king in this present parliament holden at Westminster, at the *utas* of the Purification of our Lady, the five and twentieth year of his reign of England, and of France the twelfth, by the grievous complaints of all the commons of his realm, that the grievances and mischiefs aforesaid do daily abound, to the greater damage and destruction of all his realm of England, more than ever were before, viz. that now or late the Bishop of Rome, by procurement of clerks and otherwise, hath reserved, and doth daily reserve to his collation, generally and especially, as well archbishopricks, bishopricks, abbeys, and priories, as all other dignities and other benefices of England, which be of the advowry of people of holy church, and give the same as well to aliens as to denizens, and taketh of all

*livings upon aliens not dwelling in England.*

*The inconveniences ensuing thereon.*

*The Pope giveth the benefices of the Church, and reserveth*

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*the first-fruits to himself.*

such benefices the first-fruits, and many other profits, and a great part of the treasure of the said realm is carried away and dispended out of the realm, by the purchasers of such benefices and graces aforesaid; and also by such privy reservations many clerks advanced in this realm by their true patrons, which have peaceably holden their advancements by long time, be suddenly put out; whereupon the said commons have prayed our said lord the king, that sith the right of the crown of England, and the law of the said realm is such, that upon the mischiefs and damages which happen to his realm, he ought, and is bound by his oath, with the accord of his people in his parliament, thereof to make remedy and law, and in removing the mischiefs and damages which thereof ensue, that it may please him thereupon to ordain remedy.

*The causes and reasons of making this statute.*

III. Our lord the king, seeing the mischiefs and damages before mentioned, and having regard to the said statute made in the time of his said grandfather, and to the causes contained in the same, which statute holdeth always his force, and was never defeated, nor adnulled in any point, and by so much as he is bounden by his oath to cause the same to be kept as the law of his realm, through that by sufferance and negligence it hath been sithence attempted to the contrary; and also having regard to the grievous complaints made to him by his people in divers his parliaments holden heretofore, willing to ordain remedy for the great damages and mischiefs which have happened, and daily do happen to the church of England by the said cause; by the assent of all the great men and of all the commonality of the said realm, to the honour of God, and profit of the said church of England, and of all his realm, hath ordered and established, that the free election of archbishops, bishops, and all other dignities and benefices elective in England, shall hold from henceforth in the manner as they were granted by the king's progenitors, and the ancestors of other lords, founders of the said dignities and other benefices. And that all prelates and other people of holy church, which have advowson of any benefices of the king's gift, or of any of his progenitors, or of other lords and donors, to do divine services, and other charges thereof ordained, shall have their collations and presentments freely to the same, in the manner as they were enfeoffed by their donors. And in case that reservation, collation, or provision be made by the court of Rome, of any archbishoprick, bishoprick, dignity, or other benefice, in disturbance of the free elections, collations, or presentations aforenamed, that at the same time of the voidance, that such reservations, collations, and pro-

*Elections of the dignities of the Church shall be free, as they were founded.*

*Patrons and founders of the dignities of the Church, and their heirs, shall have*

visions ought to take effect, our lord the king and his heirs shall have and enjoy for the same time the collations to the archbishopricks and other dignities elective, which be of his advowry, such as his progenitors had before that free election was granted, since that the election was first granted by the king's progenitors upon a certain form and condition, as to demand licence of the king to chuse, and after the election to have his royal assent, and not in other manner; which conditions not kept, the thing ought by reason to resort to his first nature.

*the collation or presentation to them being void.*

IV. And if any such reservation, provision, or collation be made of any house of religion of the king's advowry, in disturbance of free election, our sovereign lord the king, and his heirs, shall have for that time the collation to give this dignity to a convenient person. And in case that collation, reservation, or provision be made by the court of Rome, of any church, prebend or other benefices, which be of the advowry of people of holy church, whereof the king is advowee paramount immediate, that at the same time of the voidance, at which time the collation, reservation, or provision ought to take effect as afore is said, the king and his heirs thereof shall have the presentment or collation for that time. And so from time to time, whensoever such people of holy church shall be disturbed of their presentments or collations, by such reservations, collations, or provisions as afore is said; saving to them the right of their advowsons and their presentments, when no collation or provision of the court of Rome is thereof made, where that the said people of holy church shall or will to the same benefices present or make collation; and that their presentees may enjoy the effect of their collations or presentments. And in the same manner every other lord, of what condition that he be, shall have the collations or presentments to the houses of religion which be of his advowry, and other benefices of holy church which be pertaining to the same houses. And if such advowees do not present to such benefices within the half-year after such voidances, nor the bishop of the place do not give the same by lapse of time within a month after half a year, that then the king shall have thereof the presentments and collations, as he hath of other of his own advowry. And in case that the presentees of the king, or the presentees of other patrons of holy church, or of their advowees, or they to whom the king, or such patrons or advowees aforesaid, have given benefices pertaining to their presentments or collations, be disturbed by such provisors, so that they may not have possession of such benefices by virtue of the presentments or collations

*Where the Pope maketh provision to a dignity of the Church, the king shall present.*

*The penalties of those which by provisions from Rome do disturb such presentments or elections as others*

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*ought to make.*

to them made, or that they which be in possession of such benefices, be impeached upon their said possessions by such provisors; then the said provisors, their procurators, executors, and notaries, shall be attached by their body, and brought in to answer; and if they be convict, they shall abide in prison without being let to mainprise or bail, or otherwise delivered, till that they have made fine and ransom to the king at his will, and gree to the party that shall feel himself grieved. And nevertheless, before they shall be delivered, they shall make full renunciation, and find sufficient surety that they shall not attempt such things in time to come, nor sue any process by them, nor by other, against any man in the court of Rome, nor in any part elsewhere, for any such imprisonments or renunciations, nor any other thing depending of them.

V. And in case that such provisors, procurators, executors, or notaries be not found, that the exigent shall run against them by due process, and that writs shall go forth to take their bodies in what parts they be found, as well at the king's suit as at the suit of the party, and that in the meantime the king shall have the profits of such benefices so occupied by such provisors, except abbeys, priories, and other houses, which have colleges or convents, and in such houses the colleges or convents shall have the profits; saving always to our lord the king, and to all other lords, their old right. And this statute shall have place as well of reservations, collations, and provisions made and granted in times past against all them which have not yet obtained corporal possession of the benefices granted to them by the same reservations, collations, and provisions, as against all other in time to come. And this statute oweth to hold place and to begin at the said *utas*.

## STAT. 27 EDWARDI III. ST. I. C. 1., COMMONLY CALLED STATUTE OF PROVISORS, A.D. 1353.[1]

First, because it is showed to our lord the king, by the grievous and clamorous complaints of the great men and commons aforesaid, how that divers of the people be, and have been, drawn out of the realm to answer of things, whereof the cognizance pertaineth to the king's court; and also that the judgments given in the

[1] From Stephen's *Ecclesiastical Statutes*, vol. i. p. 64.

same court be impeached in another court, in prejudice and disherison of our lord the king, and of his crown, and of all the people of his said realm, and to the undoing and destruction of the common law of the same realm at all times used. Whereupon, good deliberation had with the great men and other of his said council, it is assented, and accorded by our lord the king, and the great men and commons aforesaid, that all the people of the king's ligeance, of what condition that they be, which shall draw any out of the realm in plea whereof the cognizance pertaineth to the king's court, or of things whereof judgments be given in the king's court, or which do sue in any other court, to defeat or impeach the judgments given in the king's court, shall have a day, containing the space of two months; by warning to be made to them in the place where the possessions be which be in debate, or otherwise where they have lands or other possessions, by the sheriffs or other the king's ministers, to appear before the king and his council, or in his Chancery, or before the king's justices in his places of the one Bench or the other, or before other the king's justices which to the same shall be deputed, to answer in their proper person to the king, of the contempt done in this behalf. And if they come not at the said day in their proper persons to be at the law, they, their procurators, attorneys, executors, notaries, and maintainors shall from that day forth be put out of the king's protection, and their lands, goods, and chattels forfeit to the king, and their bodies, wheresoever they may be found, shall be taken and imprisoned, and ransomed at the king's will: and upon the same a writ shall be made to take them by their bodies, and to seize their lands, goods, and possessions into the king's hands; and if it be returned, that they be not found, they shall be put in exigent, and outlawed.

*Appearance of the offender after two months will save his outlawry, but not his lands or goods.*

II. Provided always, that at what time they come before they be outlawed, and will yield them to the king's prison to be justified by the law, and to receive that which the court shall award in this behalf, that they shall be thereto received; the forfeiture of the lands, goods, and chattels abiding in their force, if they do not yield them within the said two months as afore is said.

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